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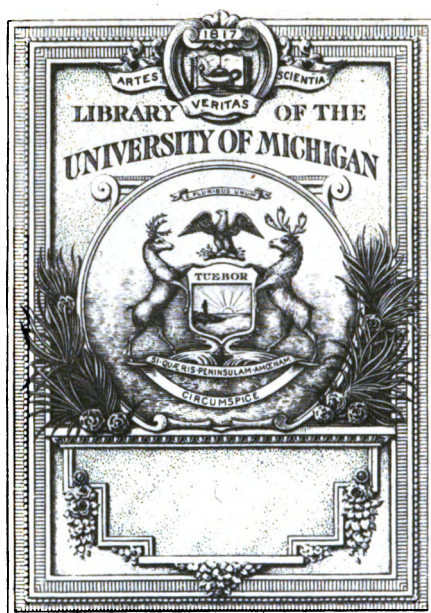
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JOURNAL
OF
THE SENATE
OF THE
STATE OF MICHIGAN.

1853.

PRINTED BY VIRTUE OF AN ACT OF THE LEGISLATURE, UNDER THE
SUPERVISION AND DIRECTION OF

O. W. MOORE,
SECRETARY OF THE SENATE.



LANSING:
GEO. W. PECK, PRINTER TO THE STATE.

1853.

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SENATE JOURNAL.

Lansing, January 5, 1853.

This being the day designated by the Constitution of the State for the assembling of the Legislature, the Senate convened in the Senate Chamber, at the Capitol, and was called to order by the Hon. Andrew Parsons, Lieutenant Governor and President of the Senate.

The roll having been called by O. W. Moore, Secretary of the last Senate, the following named Senators elect answered to the call, who severally came forward, and having presented their credentials, severally subscribed the constitutional oath of office, and took their seats as Senators.

First District—George R. Griswold ; 2d Alexander H. Stowell ; 3d. Henry Fralick ; 4th. Seneca Newberry ; 5th. David A. Wright ; 6th. Henry Hall ; 7th. Daniel Hixson ; 8th. Alexander M. Arzeno ; 9th. Richard Kent ; 10th. Fielder S. Snow ; 11th. Alfred Paddock ; 12th. Moses A. McNaughton ; 13th. Charles Dickey ; 14th. Nathan Pierce ; 15th. Ransom Gardner ; 16th. Joseph C. Leonard ; 17th. Edward S. Moore ; 18th. Jesse G. Beeson ; 19th. Royal T. Twombly ; 20th. Fitz H. Stevens ; 21st. F. W. Curtenius ; 22d. James W. Hickok ; 23d. Israel V. Harris ; 24th. Truman H. Lyon ; 25th. Josiah Russell ; 26th. Amos Gould ; 27th. William McCauley ; 28th. E. Goodrich ; 29th. Daniel S. Johnson ; 30th. John S. Smith ; 31st. D. B. Harrington ; 32d. Luther W. Clarke.

The President addressed the Senate as follows :

GENTLEMEN OF THE SENATE—This is the first organization of the Senate elected under our existing constitution. In accordance with the genius of our institutions, it is without ceremony.

In undertaking the duties of your presiding officer, I feel sensibly a want of that legislative experience and knowledge of parliamentary rules requisite to a correct and prompt discharge of those duties.

I can claim no natural aptitude to supply this deficiency. I promise, however, to do all in my power, by industry and impartiality, to merit your kind forbearance and cordial co-operation and support.

We have much to do—nearly half a million people being interested in our work, it is of great consequence that it be well done. The time in which we expect to perform this work is very brief. This is the first session of the Legislature under our present constitution, when forty days only are allowed at the public expense to transact all the ordinary business of legislation for the period of two years.

When we reflect that heretofore more than double this time has usually been occupied every year in legislation in this State, we shall be impressed with the idea, that any waste or misapplication of time, misdirection of our energies, or want of the exercise of a proper spirit of concession in conducting our deliberations, will leave us at the end of our allotted time in the midst of duties unperformed.

In conclusion, permit me to say—I am sensible, that without your kind aid, I shall be unable to discharge the duties incumbent upon the chair with necessary accuracy or dispatch. Confidently relying upon this, I now enter upon those duties.

On motion of Mr. Griswold,

The rules of the last Senate were adopted until otherwise ordered.

Mr. Griswold also introduced a concurrent resolution relative to the joint rules of the two Houses, and rules in joint convention which was adopted.

On motion of Mr. Snow,

The Senate proceeded to the election of permanent officers.

The vote for Secretary resulted as follows:

FOR OLIVER W. MOORE:

Senators Arzeno, Clarke, Frailek, Goodrich, Gould, Griswold, Hall, Harngton, Harria, Hickok, Hixon, Johnson, Kent, Leonard, Lyon, Moore, McCauley, Newberry, Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright.—25.

FOR H. B. SHANK:

Senators Beeson, Curtenius, Dickey, Gardner, McNaughton, Paddock, Pierce.—7.

Whereupon the President declared that Oliver W. Moore, of Washenaw county having received a majority of all the votes, was duly elected Secretary.

The vote for Engrossing and Enrolling Clerk resulted as follows :

FOR GEORGE B. SHERWOOD :

Senators Clarke, Fralick, Goodrich, Gould, Griswold, Hall, Harrington, Harris, Hickok, Hixon, Johnson, Kent, Leonard, Lyon, Moore, McCauley, Newberry, Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright—25.

FOR LUTHER H. TRASK :

Senators Beeson, Curtenius, Dickey, Gardiner, McNaughton, Paddock, Pierce—7.

Whereupon the President declared that George B. Sherwood of Van Buren county having received a majority of all the votes, was duly elected Enrolling and Engrossing Clerk.

The vote for Sergeant-at-Arms, resulted as follows :

FOR ROBERT M. COLLINS :

Senators Arzeno, Clarke, Fralick, Goodrich, Gould, Griswold, Hall, Harrington, Harris, Hickok, Hixson, Johnson, Kent, Leonard, Lyon, Moore, McCauley, Newberry, Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright—25.

FOR THOMAS ALEXANDER:

Senators Beeson, Curtenius, Dickey, Gardner, McNaughton, Paddock, Pierce—7.

Whereupon, the President declared that Robert M. Collins, having received a majority of all the votes, was duly elected Sergeant-at-Arms.

Mr. Snow offered the following resolution :

Resolved, That the President be, and he is hereby authorized to appoint four messengers of the Senate for the present session.

Mr. Dickey moved to strike out "four" and insert two.

Lost.

Mr. Fralick moved to strike out "four" and insert three.

Lost.

The resolution was then adopted.

On motion of Mr. Hixson,

The Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

The permanent officers of the Senate elected during the morning session came forward, and severally subscribing the constitutional oath of office, entered upon the discharge of their respective duties.

On motion, a committee of two, consisting of Senators Griswold and Dickey was appointed to inform the House that the Senate was organized and ready to proceed to business; which committee, after a short absence, reported a performance of their duty and were discharged.

A committee, consisting of Messrs. Mitchell and Worden, was announced from the House, who informed the Senate that the House was organized and ready to proceed to business.

On motion, a committee was appointed on the part of the Senate, consisting of Senators Harrington and Pierce, to join a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses were organized and ready to receive any communication he might be pleased to make.

The following message was announced from the House :

HOUSE OF REPRESENTATIVES, }
Lansing, January 5, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House have appointed Messrs Ely and Ellsworth a committee on the part of the House, to act with the like committee on the part of the Senate, to wait on the Governor and inform him that the two Houses are organized and ready to receive any communication he may be pleased to make.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

The committee on the part of the Senate, soon reported a performance of their duty, and that they had received for answer that the Governor would soon communicate with the two Houses in writing.

Mr. Snow offered the following resolution :

Resolved, That each member of the Senate be allowed five dollars for stationery and newspapers, and that the committee on supplies be authorized to furnish the President, Secretary, and Engrossing and Enrolling Clerk such amount of stationery as may be necessary.

Mr. Griswold moved to add at the end, "and to the chairman of the several committees."

Lost.

The resolution was then adopted.

A communication was announced from the Executive, at the hands of P. J. Loranger, his private secretary, transmitting his annual message—the same was being read by the Secretary, when Mr. Dick-ey moved that its further reading be dispensed with, which prevailed.

Mr. Griswold moved that the message be laid on the table, and 1000 copies thereof be ordered printed for the use of the Senate.

Mr. Goodrich moved to amend by adding 500 copies in the French, and 500 copies in the Dutch languages, which prevailed.

The motion as amended then prevailed.

Mr. Griswold then moved that 500 copies of the documents accompanying the message be printed for the use of the Senate.

Carried.

Mr. Griswold gave notice that he would on some future day ask leave to introduce

A bill to provide for the construction of a ship canal around the Falls of St. Mary's ; also,

A bill ceding the jurisdiction over certain lands to the United States.

Mr. Griswold, on leave, introduced a joint resolution relative to postage, which was read twice, and the rule having been suspended was read the third time and passed.

On motion of Mr. Johnson,

Resolved, That the daily session of the Senate commence at 10 o'clock, A. M., until otherwise ordered.

Mr. Stowell offered the following resolution :

Resolved, That John N. Ingersoll be and he is hereby appointed Reporter to the Senate for the present session, whose duty it shall be to furnish to the Tri weekly State Journal, and to the Sentinel, sketches of the debates of this body.

Mr. Gould moved to lay the same on the table.

Lost.

The resolution was then adopted.

On motion of Mr. Snow,

Resolved, That the committee on printing (when appointed) employ some person or persons to translate the Governor's message into the French and Dutch languages.

On motion of Mr. Wright,

Resolved, That the committee on printing order 300 copies of the daily journals for the use of the Senate.

On motion of Mr. Dickey,

The rules of the Senate were referred to the committee on printing (when appointed) and that they report such amendments thereto as they may deem necessary.

The following message was announced :

HOUSE OF REPRESENTATIVES, }
Lansing, January 5, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to return to the Senate concurrent resolutions relative to joint rules, and rules in joint convention, and to respectfully inform the Senate that the House concur therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk of the House of Rep's

On motion of Mr. Johnson,

The Senate adjourned.

Lansing, January 6, 1853.

The Senate was called to order by the President.

Roll called; a quorum present.

The journal of preceding day read and approved.

The President announced the standing committees of the Senate, as follows:

On Supplies and Expenses—Senators Wright, Stowell and Beeson.

On Claims—Senators Smith, Fralick and Kent.

On Finance—Senators Snow, McCauley and Gardner.

On the Judiciary—Senators Gould, Griswold and Arzeno.

On the Militia—Senators Curtenius, Harris and Johnson.

On Internal Improvement—Senators Johnson, Moore and Harris.

On Roads and Bridges—Senators Hixon, Wright and Hickok.

On Education—Senators Moore, Smith and McNaughton.

On State Prison—Senators Hall, Johnson and Paddock.

On Incorporations—Senators Goodrich, Snow and Fralick.

On the Division of Towns and Counties—Senators McCauley, Twombly and Harrington.

On Agriculture—Senators Leonard, Russell and Hickok.

On Manufactures—Senators Newberry, Leonard and Hixon.

On Privileges and Elections—Senators Fralick, Newberry and Lyon.

On Enrolled Bills—Senators Twombly, Goodrich and Smith.

On the State Library—Senators Stevens, Arzeno and Clarke.

On Expiring Laws—Senators Arzeno, Kent and Lyon.

On State Affairs—Senators Stowell, Kent and Dickey.

On Printing—Senators Griswold, Harrington and Pierce.

On Public Lands—Senators Harrington, Hall and Gould.

On Mines and Minerals—Senators Clarke, Stowell and Smith.

On Federal Relations—Senators Lyon, Stevens and Harris.

The President also announced the following appointments of Messengers of the Senate, under the resolution adopted yesterday:

Albert E. Clapsaddle, Ingham county; Edward Burton, Ingham county; Osburn Farrand, Washtenaw county; Arthur H. Snow, Lenawee county.

PETITIONS.

By Mr. Goodrich: application of the Pontiac and Genesee Railroad Company, for amendments to their charter.

Referred to committee on incorporations.

By Mr. Dickey: Of 449 legal voters of Marshall, for the enactment of a law prohibiting the manufacture of all intoxicating beverages and the traffic therein, like the one now in operation in the State of Maine;

Also, of 164 ladies and others, not legal voters, of same place, on same subject.

The same were severally laid on the table.

The following communication was announced by the President:

AUDITOR GENERAL'S OFFICE, }
Lansing, January 5, 1853. }

To the Legislature of the State of Michigan:

As required by section 39, chapter 172, I have examined the accounts of the Agent of the State Prison, and find them correct, as appears from the books of this office. The report of the Agent is herewith transmitted.

JOHN SWEGLES,
Auditor General.

The report was laid on the table and ordered printed.

Also the following:

AUDITOR GENERAL'S OFFICE, }
Lansing, January 5, 1853. }

To the President of the Senate:

I have the honor to transmit herewith the annual report from this office.

Very respectfully,
JOHN SWEGLES,
Auditor General.

The report was laid on the table, and 200 extra copies ordered printed for the use of the Senate.

MOTIONS, &c.

Mr. Griswold moved a suspension of the rules, for the purpose of introducing

A bill to amend section 6, chapter 11 of the revised statutes of 1846;

Which motion was lost, two-thirds not voting in the affirmative.

Mr. Clarke offered the following resolution:

Resolved, That the committee on supplies be authorized to furnish to the Reporter of the Senate, such amount of stationery as may be necessary for that officer.

Mr. Stowell moved to amend, so that the committee would be required to furnish chairmen of committees, and that an account be kept of the same.

Lost.

The resolution was then adopted.

Mr. Johnson gave notice that he would at some future day introduce

A bill for a general banking law; also

A bill for a general railroad law; and also

A bill to encourage and facilitate emigration to this State.

On motion of Mr. Griswold,

Resolved, That so much of the Governor's message as relates to our part paid State bonds and a sinking fund, be referred to the committee on finance; so much as relates to taxation, to the committee on finance; so much as relates to banks and banking, to the committee on incorporations; so much as relates to the State prison, to the committee on State prison; so much as relates to public lands, to the committee on public lands; so much as relates to public instruction, to the committee on education; so much as relates to the safety of the public records, to the committee on State affairs; so much as relates to the construction of the Saut Ste Marie's Canal, to a standing committee of three; so much as relates to an enumeration of the inhabitants of this State, to the committee on State affairs; so much as relates to regulating the sale of ardent spirits, to a select committee of three; so much as relates to the Board of State Auditors, to the committee on judiciary; so much as relates to State officers, in relation to fees, &c., to the committee on State affairs; so much as relates to laws in relation to township officers, to committee on judiciary; so much as relates to the asylum for the deaf, dumb and blind, to the committee on State affairs; so much as relates to the Adrian Insurance Company, to the committee on judiciary.

The Chair announced the following as the committee on the St. Mary's Canal:

Senators Griswold, Gould and Clarke.

On motion of Mr. Wright,

Resolved, That the Secretary of the Senate be authorized to furnish each member of the Senate with one copy of the rules of the last Senate.

Mr. Griswold, from the judiciary committee, reported

A bill to amend section 6, chapter 11, of the revised statutes.

The same was read a first and second time, and

On motion of Mr. Snow,

The bill was laid on the table.

Mr. Harris gave notice that he would on some future day ask leave to introduce

A bill to provide for the re-assessment of certain taxes in the town of White Lake, Oceana county, and for the assessment and collection of taxes in unorganized territory attached to the counties of Ottawa and Newaygo.

On motion of Mr. Griswold,

Five hundred copies of the Governor's message were ordered printed in the German language for the use of the Senate.

On motion of Mr. Gould,

Five hundred copies of the Lithograph map accompanying the Governor's message, were ordered for the use of the Senate.

Mr. Clarke moved an adjournment.

But the Senate refused to adjourn.

On motion of Mr. Griswold,

Five hundred copies of the daily journal was ordered for the use of the Senate, instead of 300, as ordered yesterday.

Mr. Snow moved that a committee of two be appointed to wait upon the Rev. Mr. Atterbury, and invite him to open the daily sessions of the Senate with prayer.

Mr. Stowell moved to include also the Rev. Mr. Chatfield.

Mr. Gould moved to strike out the names and insert "the resident clergymen of Lansing."

Which prevailed, and the motion as amended was adopted.

The Chair announced as such committee, Senators Snow and Dickey.

Mr. Griswold, from the judiciary committee, reported

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan; also over a tract of land at Eagle River, Lake Superior.

The bill was about being read by its title,

When the President decided that such a reading was not a reading of the bill within the meaning of the provisions in the constitution.

Mr. Griswold appealed from the decision of the chair.

Pending which,

On motion of Mr. Fralick,
The appeal was laid on the table.
On motion of Mr. McCauley,
The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.
Roll called; a quorum present.

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan; also over a tract of land at Eagle River, Lake Superior,

Was read a first and second time, laid on the table and ordered printed.

Mr. McCauley offered the following resolution:

Resolved, That the committee on supplies be instructed to furnish two firemen for the Senate; also spittoons for the protection of the carpets.

On motion of Mr. Fralick,

"Two" was stricken out and "one" inserted.

The resolution as amended was adopted.

Mr. Dickey offered the following concurrent resolution, which was adopted:

Resolved, (the House of Representatives concurring.) That the committee on printing in each House be a joint committee to revise the joint rules of the Senate and House of Representatives, and the rules of the Senate and House of Representatives in joint convention.

On motion of Mr. Griswold,

E. The question of appeal taken by that Senator from the decision of the chair, during the morning session, and laid on the table, was taken therefrom.

And the question being taken, "Shall the decision of the President stand as the decision of the Senate?" the same was decided in the affirmative by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Hall,

Mr. Harrington,
Hickok,
Hixson,
Kent,
Leonard,
Moore,
McCauley,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Twombly,
Wright,

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NAYS:

Mr. Dickey,
Griswold,

Mr. Harris,
Johnson,

Mr. Lyon,
Stowell,

6

On motion of Mr. Gould,
The Senate adjourned.

Lansing, January 7, 1853.

The Senate was called to order by the President.

Mr. Snow, from the committee appointed yesterday, to invite the resident clergymen of Lansing to open the daily sessions of the Senate with prayer, reported a part performance of their duty, and that the Rev. Mr. Atterbury was in attendance.

Prayer by the Rev. Mr. Atterbury.

Roll called; a quorum present.

The journal of the preceding day was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Stowell: of J. H. Harmon and others, for the abolishment of a police court in the city of Detroit.

Referred to the committee on the judiciary.

By Mr. Arzeno: memorial of the Board of Supervisors of Monroe county, in relation to certain delinquent taxes.

Referred to same committee.

By Mr. Arzeno: claim of Wm. White, for supplies furnished the State of Michigan.

Referred to committee on claims.

REPORTS OF STANDING COMMITTEES.

Mr. Gould, from the judiciary committee, reported

A bill to amend chapter 138 of the revised statutes of 1846;

Which was read twice, laid on the table and ordered printed.

Mr. SNOW, from the committee on finance, reported

A bill to provide for the payment of the members and officers of the Legislature;

Which was read twice, laid on the table and ordered printed.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 5, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

Concurrent resolution relative to postage, and to respectfully inform the Senate that the House have concurred therein.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The concurrent resolution was ordered enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 6, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to amend section 6 of chapter 170 of the revised statutes of 1846,

Which the House have passed by a two-thirds vote, and respectfully ask that the Senate concur therein.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was read twice, and ordered to a third reading,

And the rule having been suspended, was read a third time and passed by a vote of two-thirds of all the Senators elect, as follows:

YEAS.

Mr. Arzeno,
Beeson,
Clarke,

Mr. Harrington,
Harris,
Hickok,

Mr. Paddock,
Pierce,
Russell,

Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

28

NAYS:

Mr. Dickey,
Hixson,

Mr. McNaughton,

Mr. Newberry,

4

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Harrington gave notice that he would at some future day ask leave to introduce

A bill to appropriate certain salt spring lands for the purpose of constructing a road.

On motion of Mr. Griswold,

A bill to amend section 6, chapter 11 of the revised statutes,

Was taken from the table.

Mr. Dickey moved to refer the bill to the committee of the whole.

Lost as follows:

YEAS:

Mr. Beeson,
Curtenius,
Dickey,
Gardner,
Hall,

Mr. Harris,
Hixson,
Kent,
Moore,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,

15

NAYS:

Mr. Arzeno,
Clarke,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Harrington,
Hickok,
Johnson,
Leonard,
Lyon,
McCauley,

Mr. Smith,
Stevens,
Stowell,
Twombly,
Wright,

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The bill was then ordered to a third reading, was so read, and the question being on its passage, the same was lost by the following vote, two-thirds of all the Senators elect not voting in the affirmative:

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,
Goodrich,

Mr. Harrington,
Harris,
Hickok,
Johnson,
Leonard,

Mr. McCauley,
Russell,
Stevens,
Stowell,
Twombly,

Gould,
Griswold,

Lyon,
Moore,
NAYS.

Wright,
20

Mr. Beeson,
Dickey,
Gardner,
Hall,

Mr. Hixon,
Kent,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Snow,
Smith, 12

(The bill contained a section declaring it to take effect immediately.)

On motion of Mr. Gould,

Resolved, That 1000 more extra copies of the Auditor General's report be furnished for the use of the Senate.

Mr. Griswold offered the following joint resolution, which was adopted:

JOINT RESOLUTION of a vote of Thanks to Captain Canfield.

Resolved by the Senate and House of Representatives of the State of Michigan, That the thanks of the Legislature of the State of Michigan is hereby tendered to Captain A. Canfield, of the Topographical Corps of Engineers of the United State, for his voluntary and valuable services to this State in the survey, plans and estimates, as presented to this Legislature for the construction of the Saut Ste Mary's Canal.

On motion of Mr. Gould,

Resolved, That the Secretary of State be requested to furnish to each Senator, for the use of the Senate during the present session, a copy of the revised statutes of 1846, a copy of the session laws of 1851, and a copy of the Senate and House journal, and of the joint documents of 1851.

Mr. Stowell offered the following:

Resolved, That a select committee of three be appointed, whose duty it shall be to read three times in each House every bill and joint resolution before the final passage thereof.

Mr. Harrington moved to strike out "a select committee of three," and insert "a clerk."

Pending which,

On motion of Mr. Wright,

The resolution was laid on the table.

On motion, the Senate adjourned.

Lansing, January 8, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Chatfield.

Roll called ; a quorum present.

The President announced as the select committee upon the subject of the manufacture and sale of ardent spirits :

Senators Fralick, Dickey and Hickok.

PETITIONS.

By Mr. Harrington : of F. C. White and others, for vacating the plat of the village of Peru.

Referred to committee on judiciary.

By Mr. Snow : memorial of the Michigan Southern Railroad Co., asking for an amendment of their charter.

Also, of John Wilder and 54 others, of Monroe county; of C. Woodbury and 45 others; of F. J. Buck and 51 others; of J. J. Newell and 51 others; of J. Carpenter and 77 others; of M. S. Worth and 75 others; of J. H. Cleveland and 44 others, all of Lenawee county, on the same subject.

Severally referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

Mr. Gould, from the committee on the judiciary reported,

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of circuit courts.

The same was read twice, laid on the table and ordered printed.

Also from same committee,

A bill to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch.

The same was read twice, ordered to a third reading, and the rule having been suspended, the same was read a third time and passed by a vote of two-thirds of all the Senators elect, as follows :

YEAS.

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hickok,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McCauley,
Newberry,
Paddock,
Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

NAYS.

Mr. Dickey,
Hixon,

Mr. Pierce,

Mr. Snow,

4

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 7, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

Concurrent resolution relative to the revision of the joint rules; and to respectfully inform the Senate that the House concur therein.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

Mr. Snow gave notice that he would on Monday next, ask leave to introduce

A bill to incorporate the city of Adrian.

Mr. Clarke gave notice that on some future day he would ask leave of the Senate to introduce

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ores.

Mr. Smith offered the following resolution, which was adopted:

Resolved, That the use of the Senate Chamber be and is hereby tendered to the Rev. Mr. Knickerbacker, for devotional services, on each Sabbath during the present session of the Legislature.

On motion of Mr. Snow,

The report of the Auditor General was taken from the table and referred to the committee on finance.

Mr. Harrington, pursuant to previous notice, leave being granted, introduced

A bill to authorize the Board of Education and the Trustees of the Michigan Asylums, to appropriate lands to open roads across certain Asylum and Normal School lands.

The same was read twice and referred to the committee on public lands.

On motion,

The Senate adjourned.

Lansing, January 10, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Kniekerbacker.

Roll called ; a quorum present.

The journal of Saturday was read and approved.

PETITIONS.

By Mr. Griswold : of Isaac Sherman, for the re-issue of certain bonds instead of lost bonds.

Referred to judiciary committee.

By Mr. Fralick : of 110 legal voters of Plymouth, for the enactment of a law prohibiting the manufacture of all intoxicating beverages and traffic therein, like the law now in operation in the State of Maine.

Referred to the select committee on that subject.

Mr. Curtenius : of Tertius Strong of Kalamazoo, asking certain legislation in his behalf.

Referred to committee on claims.

Mr. Kent : of 160 citizens of Lenawee county, praying for an amendment to the charter of the Michigan Southern Railroad Company, to extend their road from the city of Monroe to Detroit, and to south line of the State.

Referred to committee on incorporations.

Mr. Snow, from the committee on finance, reported a bill making appropriations for the salaries of State officers for the years 1853 and 1854.

The same was twice read, laid on the table and ordered printed.

Mr. Griswold, from the committee upon the St. Mary's Canal, reported a bill to provide for the construction of a ship canal around the Falls of St. Mary's.

The same was twice read, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported a bill to re-enact sections 24, and 25, of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining suits in equity &c.

The same was twice read, laid on the table and ordered printed.

Mr. Smith, from the committee on claims, submitted the following report :

The committee on claims, to whom the petition of Wm. White was referred, have had the same under consideration, and report that in their opinion it is a petition upon which they have no constitutional power to act, and that the board of State Auditors is the body before whom said petition should be laid for investigation. The committee would respectfully ask to be discharged from further consideration of the subject, and that the petitioner have leave to withdraw his petition.

The report was accepted and the committee discharged.

MESSAGES.

The President announced the following from the Executive :

EXECUTIVE OFFICE, }
Lansing, January 8, 1853. }

To the Senate and House of Representatives:

I have received, during the past year, resolutions from the States of Connecticut and New Jersey, in relation to the 'compromise measures;' from the State of Indiana, 'on the subject of the Slave trade, and for the purpose of colonization;' and from the State of Pennsylvania 'in reference to the establishment of a navy yard depot and dry dock on the lake frontier,' all of which I lay before you for consideration.

R. McCLELLAND.

The resolutions were referred to the committee on federal relations.

Also the following :

STATE TREASURER'S OFFICE, }
Lansing, January 8, 1853. }

To the President of the Senate :

SIR—I have the honor to transmit herewith my annual report for the fiscal year ending Nov. 30, 1852.

Yours &c.,

B. C. WHITEMORE,

State Treasurer.

The report was referred to the committee on finance.

Also the following communication :

ANN ARBOR, Jan. 5, 1853.

To the President of the Senate:

SIR—Herewith is transmitted a memorial of the Board of Regents

of the University of Michigan, asking payment to the University fund of certain interest moneys.

Respectfully, &c.,

O. W. MOORE,

Sec. Board of Regents.

The memorial was laid on the table and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Snow, pursuant to previous notice, leave being granted, introduced a bill to incorporate the city of Adrian. The same was read twice, laid on the table and ordered printed.

As the secretary was proceeding to read the last named bill,

Mr. Griswold moved that the same be read by its title.

The President decided the motion out of order, for the reason that the reading by the title was not a reading of the bill within the meaning of the provision in the constitution.

Mr. Griswold appealed from the decision of the chair, and the question being taken, "shall the decision of the chair stand as the decision of the Senate?"

The same was decided in the affirmative by yeas and nays as follows :

YEAS :

Mr. Arzeno,	Mr. Hickok,	Mr. Paddock,	
Clarke,	Hixon,	Pierce,	
Curtenius,	Kent,	Russell,	
Fralick,	Leonard,	Snow,	
Gardner,	Moore,	Smith,	
Gould,	McCauley,	Stevens,	
Hall,	McNaughton,	Twombly,	
Harrington,	Newberry,	Wright,	24

NAYS :

Mr. Dickey,	Mr. Johnson,	Mr. Stowell,	
Griswold,	Lyon,		5

On motion of Mr. McNaughton,

Resolved, That the use of the Senate chamber be and the same is hereby tendered to the Grand Division of the Sons of Temperance of the State of Michigan, for a meeting of that order, on the evening of Tuesday the 11th of January inst., and if desired, on the evening of the day following.

Mr. Harrington gave notice that he would at some future day ask leave to introduce a bill to amend the charter of the Detroit, Romeo & Port Huron Railroad Company.

Mr. Stowell gave notice of his intention, at some future day, to ask leave to introduce

A bill to amend an act entitled an act to incorporate the Detroit & Maumee Railroad Company.

Mr. Twombly gave notice that he would on some future day ask leave to introduce

A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts and for other purposes, approved April 2, 1850.

Mr. Johnson, pursuant to previous notice, leave being granted, introduced

A bill to provide for the formation of railroad corporations.

Mr. Wright moved to adjourn until 2 o'clock P. M.

But the Senate refused to adjourn.

The bill was then read the first time,

When on motion, the Senate adjourned until 2 o'clock P. M.

Afternoon Session.

7 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

On motion of Mr. McNaughton,

A bill to provide for the formation of railroad corporations,

Was laid on the table and ordered printed.

Mr. Griswold gave notice that he would ask leave to introduce

A bill to amend an act entitled an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company.

On motion of Mr. Snow,

Resolved, That a committee of three be appointed to investigate and enquire into the alleged misapplication of eighty-four thousand dollars of part-paid bonds said to have been paid by the Michigan and Southern Railroad Company, on their indebtedness to the State.

The President announced as such committee,
Senators Snow, McCauley and McNaughton.

Mr. Stevens gave notice that at some future day he would ask leave to introduce

A bill to amend section 1 of an act entitled an act to amend chapter 25 of the revised statutes of 1846.

On motion of Mr. Hickok,

Resolved, That the Superintendent of Public Instruction report to this Senate whether any of the chartered literary institutions of this State have not complied with the general law in relation to incorporated academies, approved March 4, 1839; if any, what ones.

Mr. Lyon offered the following resolution, which on motion, was laid on the table :

Resolved, That the Secretary of the Senate be and he is hereby authorized to employ a competent person as an assistant, whenever in his judgment the business of the Senate shall require the services of such assistant. Such appointment to be approved by the Senate.

On motion of Mr. Griswold,

Resolved, That the Secretary of State be directed to procure a suitable clock for the Senate Chamber.

Mr. Fralick gave notice that he would on some future day ask leave to introduce

A bill to amend an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative, and legislative powers," approved February 19, 1851.

Mr. Stowell gave notice that he would ask leave to introduce

A bill to amend the charter of the city of Detroit.

On motion of Mr. Hall,

The report of the Inspectors of the State Prison was taken from the table, and referred to the committee on the State Prison.

On motion of Mr. Johnson,

The vote laying on the table and ordering printed the general railroad bill, was reconsidered.

The question was then taken on the motion and lost.

The bill was then read the second time, laid on the table and ordered printed.

On motion of Mr. Snow,

A bill to provide for the payment of the members and officers and incidental expenses of the Legislature,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Griswold,

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan, also over a tract of land at Eagle River, Lake Superior,

Was taken from the table, and referred to the committee of the whole.

On motion, the Senate went into committee of the whole, Senator Snow in the chair, upon the general order.

After some time spent thereon the committee rose, and through their chairman reported back,

A bill to provide for the payment of the members and officers and incidental expenses of the Legislature, and

A bill ceding jurisdiction to the United States over a tract of land situate on Beaver Island, Lake Michigan; also, over a tract of land at Eagle River, Lake Superior,

Without amendment, and from the further consideration of which the committee asked to be discharged.

The report was accepted and the committee discharged.

The first named bill being under consideration,

On motion of Mr. Gould,

The same was amended by inserting in the 10th line of section 1, after "Representatives," the words "by the Senate or House of Representatives."

Mr. Dickey moved to reconsider the last vote,

But the same did not prevail.

On motion of Mr. Stowell,

The words "and fifty cents," were inserted after "dollar," in fourteenth line of said section, by the following vote :

YEAS :

Mr. Arzeno, Curtenius, Clarke, Goodrich, Gould, Griswold, Hall,	Mr. Harris, Hickok, Hixson, Johnson, Leonard, Lyon, Moore,	Mr. McCauley, Paddock, Russell, Snow, Stevens, Stowell, Twombly	21
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NAYS:

Mr. Beeson, Dickey, Fralick, Gardner,	Mr. Harrington, Kent, McNaughton, Newberry,	Mr. Pierce, Smith, Wright,	11
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On motion of Mr. Leonard,

The words "an assistant, if one should be employed," were inserted after the word "clerk," in the 7th and 8th lines of section 1.

On motion of Mr. McNaughton,

A new section was added, as follows :

Sec. 4. No clerk shall be employed by any standing or select committee, except by the consent of the Senate or House of Representatives.

The bill was then ordered engrossed and to be read a third time ; and having been engrossed, was so read and passed by the following vote :

YEAS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Fralick, Gardner, Gould, Griswold, Hall, Harrington,	Mr. Harris, Hikok, Hixson, Johnson, Kent, Leonard, Lyon, Moore, McCauley, McNaughton,	Mr. Newberry, Paddock, Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright,	29
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NAYS:

Mr. Dickey,	Mr. Goodrich,	Mr. Pierce,	3
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And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

On motion of Mr. Griswold,

The second named bill was ordered to be read the third time, and being so read was passed by the following vote :

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Paddock,	
Clarke,	Hickok,	Pierce,	
Curtenius,	Hixon	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	McNughton,		32
	NAYS.		0

And the same was ordered to take immediate effect, by a vote of two-thirds of all the Senators elect.

On motion of Mr. Griswold,

Resolved, That the Senate will, on to-morrow, Tuesday, the 11th inst., at 1 o'clock, proceed to nominate a candidate for the office of United States Senator, to fill the vacancy occasioned by the expiration of the term of Senator Alpheus Felch.

Mr. Harrington, from the committee on public lands, by consent, reported back

A bill to authorize the Board of Education and the trustees of the Michigan Asylums to appropriate lands and open roads across certain Asylum and Normal School lands in the county of St. Clair, recommending its passage, and asked to be discharged.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

On motion,

The Senate adjourned.

Lansing, January 11, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of preceding day was read, corrected and approved.

PETITIONS.

By Mr. Griswold: of J. M. Howard and others, for an additional circuit court commissioner for the county of Wayne.

Referred to the committee on judiciary.

REPORTS.

Mr. Snow, from the committee on finance, reported

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon, and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848;

Which was read twice, laid on the table and ordered printed.

Mr. Stowell, from the committee on State affairs, reported

A bill for the construction of public offices at the seat of government at Lansing.

Read twice, laid on the table and ordered printed.

Mr. Smith, from the committee on claims, reported

A bill to provide for the appointment of circuit court commissioners to fill vacancies.

Read twice, laid on the table and ordered printed.

Mr. Griswold, from the judiciary committee, reported

A bill to provide for an additional circuit court commissioner for the county of Wayne;

Which was read twice, laid on the table and ordered printed.

Mr. Gould, from the same committee, reported

A bill to amend section 1 of an act entitled an act to amend chapter 25 of the revised statutes of 1846.

Read twice, laid on the table and ordered printed.

Mr. Griswold, from the committee on printing, submitted the following report, which was adopted:

The committee on printing, to whom was referred the revision of the rules of the Senate, report that they have had the same under consideration, and recommend the adoption of the rules of the last session.

MESSAGES.

The President announced the following:

ATTORNEY GENERAL'S OFFICE, }
Lansing, January 10, 1853. }

To the HON. ANDREW PARSONS,

President of the Senate:

SIR—I have the honor to transmit herewith to the Legislature, my annual report.

I am sir, very respectfully,

Your ob't serv't,

WILLIAM HALE,

Attorney General.

The report was laid on the table and ordered printed.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 10, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

Joint resolution relative to a vote of thanks to Capt. A. Canfield, of the United States Topographical Engineers,

And to respectfully inform you that the House have concurred therein.

Also to transmit a concurrent resolution relative to the committees of the two Houses, to whom has been referred the subject of constructing a ship canal at the Falls of St. Mary's,

Which the House have adopted, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolution was ordered enrolled.

The House concurrent resolution was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Twombly gave notice that he would on some future day ask leave to introduce

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners.

Mr. Snow gave notice that he would on some future day ask leave to introduce

A bill to provide for taxing foreign corporations.

Mr. Curtenius offered the following preamble and resolution, which were adopted:

Whereas, During the recent canvass, many of the presses of the State teemed with serious charges of corruption and fraud in the management of our finances, reflecting upon the integrity of certain State officers;

And whereas. Also, justice to said officers, as well as the people, demands an examination into the matter, having in view the exculpation of the one, (if the charges are groundless,) and the duty to the other under any contingency; therefore

Resolved, That a committee be appointed to investigate the charges, and report at the earliest period, compatible with the magnitude of their duties.

Mr. Harrington, pursuant to notice, leave being granted, introduced

A bill to amend the charter of the Detroit, Romeo and Port Huron Railroad Company;

And the same was read twice, laid on the table and ordered printed.

A message was announced from the Executive, on executive business.

Mr. Griswold, by consent, introduced a joint resolution relative to the printing of a manual;

Which was read twice and ordered to a third reading, and the rule having been suspended, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hickok,	Pierce,
Curtenius,	Hixson,	Russell,
Dickey,	Johnson,	Snow,
Fralick,	Kent,	Smith,
Gardner,	Leonard,	Stevens,
Goodrich,	Lyon,	Stowell,
Gould,	Moore,	Twombly,
Griswold,	McCauley,	Wright,
Hall,	McNaughton,	

32

NAYS:

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Mr. Stowell, by consent, introduced

A joint resolution authorizing the appointment of watchmen about the Capitol;

Which was read twice, ordered to a third reading, and the rule having been suspended, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hickok,	Pierce,
Curtenius,	Hixson,	Russell,
Dickey,	Johnson,	Snow,
Fralick,	Kent,	Smith,
Gardner,	Leonard,	Stevens,
Goodrich,	Lyon,	Stowell,
Gould,	Moore,	Twombly,
Griswoold,	McCauley,	Wright,
Hall,	McNaughton,	

32

NAYS:

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The hour of 11 o'clock having arrived, the Senate proceeded to the special order for that hour being a nomination for Senator in Congress, for the term commencing on the 4th day of March next.

The roll of the Senate was called, with the following result:

FOR CHARLES E. STUART.

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,
Clarke,	Hickok,	Russell,
Fralick,	Johnson,	Snow,
Goodrich,	Kent,	Smith,
Gould,	Leonard,	Stevens,
Griswoold,	Lyon,	Stowell,
Hall,	Moore,	Twombly,
Harrington,	McCauley,	Wright,

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FOR ZACHARIAH CHAFDLER:

Mr. Beeson,	Mr. Gardner,	Mr. Paddock,
Curtenius,	McNaughton,	Pierce,
Dickey,		

7

Senator Hixson was excused from voting.

On motion of Mr. Gould,

Resolved, That Charles E. Stuart be and he is hereby declared nominated by the Senate for the office of Senator in Congress for the State of Michigan, for the term of six years, commencing on the 4th of March next.

On motion,

Senators Griswold and Dickey were appointed a committee to inform the House that the Senate had made the nomination of a person for the office of Senator in Congress, and that the Senate was ready to meet that body in joint convention of the two Houses, to compare nominations.

Such committee, after a short absence, reported a performance of their duty, and were discharged.

A committee was announced from the House, consisting of Messrs. Ransom and Ewing, who informed the Senate that the House had made the nomination of a person for the office of Senator in Congress, for the term commencing on the 4th day of March next, and were ready to receive the Senate in joint convention, for the purpose of comparing nominations.

The Senate proceeded to the Hall of the House.

[For proceedings in joint convention, see House journal.]

When the Senate returned to their Chamber, the President announced that the two Houses having met in joint convention, an up-
on comparison, having agreed in their nominations for the office of Senator in Congress, a resolution was adopted declaring Charles E. Stuart duly elected to the office of Senator in Congress, for the constitutional term, commencing on the 4th day of March next.

On motion,

The Senate adjourned.

Lansing, January 12, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr Dayfoot.

The roll was called, and a quorum found to be present.

The journal of the preceding day was read and approved.

PETITIONS PRESENTED.

By Mr. Griswold: of Henry Ledyard, Alexander H. Newbould, H. P. Baldwin, C. C. Trowbridge, Z. Chandler, and 2,400 other citizens of the city of Detroit, praying an amendment to the charter of the Michigan Central Railroad Company, so as to enable it to extend its road from Detroit to Toledo, by way of Monroe.

Referred to the committee on incorporations.

By Mr. Goodrich: of Ralph Atkins and 20 others, legal voters of the county of Genesee, for a law similar to the Maine liquor law; also, of Betsey Spicer and 35 others, with same prayer.

Referred to the select committee on that subject.

By Mr. Dickey: of sundry persons, for a law similar to the Maine liquor law.

Same reference.

By Mr. Hickok: of supervisors of Eaton county, relative to interest upon delinquent taxes.

Referred to committee on the judiciary.

By Mr. Stowell: of the Grand Jury of Wayne county.

Same reference.

By Mr. Hickok: of sundry persons of Eaton and Barry counties, on the subject of the Maine liquor law.

Referred to select committee on that subject.

By Mr. Twombly: of F. F. Perkins, to allow him to purchase 40 acres of school land, and have credited an amount of money forfeited to the State in consequence of sickness.

Referred to committee on public lands.

REPORTS.

Mr. Griswold, from the judiciary committee, reported

A bill to amend chapter 12 of the revised statutes of 1846, entitled of certain State officers.

The same was read twice and laid on the table.

Mr. Arzeno, from the same committee, reported

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes.

The same was read twice, laid on the table and ordered printed.

Mr. Gould, from the same committee, reported

A bill to repeal an act entitled an act to incorporate the Adrian Insurance Company.

The same was read twice, laid on the table and ordered printed.

Mr. Stowell, from the committee on State affairs, reported

A bill to provide for taking the census and statistics for the year 1854, and every ten years thereafter.

The same was read twice, laid on the table and ordered printed.

MESSAGES.

The President announced the following:

STATE LAND OFFICE, }
Lansing, January 12, 1853. }

To the President of the Senate:

In obedience to the requirements of law, I respectfully submit my annual report, exhibiting the proceedings and affairs of this office for the fiscal year ending Nov. 30, 1852.

Very respectfully,

PORTER KIBBEE,

Commissioner.

The report was laid on the table and ordered printed, with 500 extra copies.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Snow,

A bill making appropriations for the salaries of State officers for the years 1853 and 1854,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Griswold,

The bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Gould,

A bill to amend chapter 138 of the revised statutes of 1846;

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of circuit courts; and

A bill to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851,

Were severally taken from the table and referred to committee of the whole.

On motion of Mr. Harrington,

A bill to authorize the Board of Education and the Trustees of the Michigan Asylums to appropriate lands to open roads across certain asylum and normal school lands,

Was taken from the table and referred to the committee of the whole.

The President announced as the committee under the preamble and resolution adopted on motion of Mr. Curtenius, yesterday, Senators Curtenius, Stevens and Stowell.

Mr. Curtenius asked, for reasons, to be excused from serving on the committee; but the Senate refused to excuse him.

Mr. Griswold gave notice that he would on some future day ask leave to introduce

A bill to amend the act to incorporate the Detroit and Howell Plank Road Company; also,

The Lansing and Howell Plank Road Company; also,

The Detroit and Saline Plank Road Company; also,

The Plymouth and Dearborn Plank Road Company; also,

The Detroit and Erin Plank Road Company; also,

The Erin and Mt. Clemens Plank Road Company; and

The Detroit and Lake St. Clair Plank Road Company.

Mr. Snow, pursuant to notice, leave being granted, introduced

A bill to provide for taxing foreign corporations.

The same was read twice, laid on the table and ordered printed.

Mr. Beeson gave notice that he would on some future day introduce

A bill for the amendment of section 20 of chapter 70 of the revised statutes of 1846; also, for enactment of an additional section to said chapter.

Mr. Griswold offered the following resolution:

Resolved, That the committee on the judiciary be authorized to employ a clerk when they may deem it necessary.

And the same was adopted by yeas and nays, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Gould,
Griswold,
Hall,
Harrington,
Harris,

Mr. Hickok,
Johnson,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

NAYS:

Mr. Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,

Mr. Goodrich,
Hixson,
Kent,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Snow,

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Mr. Curtenius moved that two members be added to the committee upon which he had just been appointed.

Carried.

Mr. Curtenius asked that the committee be empowered to employ a clerk; but the Senate refused.

Mr. McCauley gave notice that he would on some future day ask leave of the Senate to introduce

A bill making appropriations for the completion of the deaf, dumb and blind and insane asylum buildings.

On motion of Mr. Griswold,

The Senate went into Executive session, with open doors.

When the Executive session had closed,

Mr. Johnson moved that the Senate adjourn; but the Senate refused to adjourn.

On motion of Mr. Gould,

The Senate adjourned until 2 o'clock this P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

Mr. Fralick gave notice that he would at some future day ask leave to introduce

A bill for a prohibitory law, similar to the Maine liquor law.

Mr. Stowell offered the following preamble and resolution, which was adopted:

Whereas, It appears by the Auditor General's report that the tax as now levied and collected of banks, is unequal and disproportioned to other taxes;

And whereas, It also by said report appears that while the capital of many of the brokers has been largely increased, the amount paid within the last two years has been diminished; therefore

Resolved, That the committee on finance be instructed to inquire into the subject, and report by bill or otherwise.

Mr. Stowell gave notice that at some future day he would introduce

A bill for a municipal court of criminal jurisdiction for the city of Detroit.

On motion of Mr. Gould,

The Senate went into committee of the whole on the general order,

Senator Dickey in the chair.

After some time spent thereon, the committee rose and through their chairman reported back

A bill making appropriations for the salaries of State officers for the years 1853 and 1854,

With sundry amendments, in which the concurrence of the Senate was asked; also,

A bill to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851,

Without amendment; and

A bill to amend sections three and four of an act to define the limits, jurisdiction and powers of the circuit court,

Also without amendment, and from all which the committee asked to be discharged.

The report was accepted and the committee discharged.

The amendment to the first named bill was concurred in as follows:

In lines 13 and 14 of section 1, strike out "six" and insert "seven."

In lines 14 and 15 of section 2, strike out "six" and insert "seven."

On motion,

The first section was amended so as to read in lines seven and eight:

"For the salary of the Auditor General and State Treasurer, one thousand dollars each; and for the salary of the Commissioner of the State Land Office, eight hundred dollars."

On motion,

Line nine of sections 1 and 2 was amended by striking out the words "including his actual necessary expenses."

The bill was then ordered engrossed and to be read the third time, and having been engrossed, was so read and passed by a majority vote of all the Senators elect, as follows:

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. McNaughton,	
Beeson,	Harris,	Paddock,	
Clarke,	Hickok,	Russell,	
Curtenius,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,			28

NAYS :

Mr. Dickey,	Mr. Newberry,	Mr. Pierce,	4
Hixson,			

The bill was then ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

The second and third named bills were severally laid on the table.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

Joint resolution of a vote of thanks to Captain A. Canfield;

And the same was signed and presented to the Governor.

On motion of Mr. Snow,

The rule was suspended and the committee of the whole discharged from the further consideration of

A bill to authorize the Board of Education and the Trustees of the Michigan Asylums to appropriate lands to open roads across certain Asylum and Normal School lands;

And the same was referred to the committee on public lands.

On motion,

The Senate adjourned.

Lansing, January 13, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

The journal of preceding day was read and approved.

The President announced as additional members of the committee of investigation, Senators Clarke and Twombly.

PETITIONS.

By Mr. Hixson: memorial of Wm. M. Roberts and 222 other legal voters of Ypsilanti, Washtenaw county, for the enactment of a law prohibiting the manufacture of all intoxicating beverages, and the traffic therein, like the one now in operation in the State of Maine; also, of Miss S. Loomis and 309 others, not legal voters, of the same place, on the same subject.

Referred to the select committee on that subject.

By Mr. Snow: of J. McMill and 8 others; of Wm. Vaughn and 58 others; of Susan McMill and 19 others, all of Lenawee county, with like prayer.

Same reference.

By Mr. Gould: of Wm. G. Kent and 46 others, of Woodhull, Shiawassee county, containing like prayer.

Same reference.

By Mr. Harris: of James Hudson and 60 others, praying that appraisers be appointed to appraise 80 acres of University land, on which he resides, and that he be allowed to purchase the same at their appraisal.

Referred to the committee on public lands.

REPORTS.

Mr. Smith, from the committee on claims, submitted the following report:

The committee on claims, to whom was referred the memorial of Tertius Strong, asking legislative action providing for the making up to him certain moneys supposed to have been lost through the United States mail, have had the same under consideration, and respectfully report that in their opinion, the facts contained in said memorial are not sufficient to demand legislative action, or the recommenda-

tion by this committee for its reference to the Board of State Auditors.

The committee respectfully ask to be discharged from further consideration of the subject.

The report was accepted and the committee discharged, and the same was adopted.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES.
Lansing, January 12, 1853.

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

Joint resolution relative to the printing of a manual; and

Joint resolution authorizing the appointment of watchmen about the capitol,

And to respectfully inform the Senate that the House have concurred therein; and

A bill to provide for the payment of the members and officers and incidental expenses of the Legislature,

Which the House have passed by a vote of two-thirds of all the members elect, with an amendment in which they ask the concurrence of the Senate.

Also to transmit

A bill to extend the time for the collection of taxes in the township of Heath, in the county of Allegan, for the year 1852;

A bill to extend the time for the collection and return of taxes in the towns of Campbell and Sebewa, in the county of Ionia, for the year 1852, and for other purposes; and

A bill relative to the organization of the county of Ontonagon, in the Upper Peninsula;

Which the House have passed, each by a two-thirds vote, and ordered by a like vote that they severally take immediate effect; in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The two joint resolutions were ordered enrolled.

The House amendment to the first named bill was concurred in by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

31

NAYS:

0

The bill was then ordered enrolled.

The first and second named House bills were severally read twice and referred to the committee on the judiciary.

The third named House bill was read twice and referred to the committee on the division of towns and counties.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Stowell, pursuant to previous notice, leave being granted, introduced

A bill to establish a municipal court of criminal jurisdiction in the city of Detroit.

The same was read twice, laid on the table and ordered printed.

Mr. Twombly, pursuant to previous notice, leave being granted, introduced

A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850.

The same was read twice, laid on the table and ordered printed.

Mr. Beeson, pursuant to previous notice, leave being granted, introduced

A bill to amend chapter 70 of the revised statutes of 1846.

The same was read twice and referred to the committee on judiciary.

Mr. Griswold, pursuant to previous notice, leave being granted, introduced

A bill to amend an act entitled an act to incorporate the Detroit and Howell Plank Road Company.

The same was read twice, laid on the table and ordered printed.

Mr. Twombly, pursuant to previous notice, leave being granted, introduced

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners.

The same was read twice and referred to the committee on judiciary.

On motion of Mr. Griswold,

A bill to provide for an additional circuit court commissioner for the county of Wayne,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Harrington,

A bill to amend the charter of the Detroit, Romeo and Port Huron Railroad Company,

Was taken from the table and referred to the committee of the whole.

Mr. Stowell offered the following resolution:

Resolved, That the committee on investigation, appointed under the resolution of Senator Curtenius, be authorized to employ a clerk should they deem one necessary.

The same was adopted by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Curtenius,
Gardner,
Goodrich,
Gould,

Mr. Griswold,
Harris,
Johnson,
Leonard,
Lyon,
McCauley,

Mr. Russell,
Smith,
Stowell,
Twombly,
Wright,

17

NAYS:

Mr. Clarke,
Fralick,
Hall,
Harrington,
Hickok,

Mr. Hixson,
Kent,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Snow,
Stevens,

13

On motion of Mr. Gould,

Resolved, That the use of the Senate Chamber be and the same is hereby tendered to Doct. Chase, for the purpose of delivering a free lecture on the subject of Anatomy and Physiology, on Friday evening of this week.

GENERAL ORDER.

The Senate having arrived at the general order of the day, went into committee of the whole thereon,

Senator Snow in the chair.

After spending some time thereon, the committee rose and through their chairman reported that the committee had had under consideration,

A bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Had made some progress thereon and asked leave to sit again.

Which was granted.

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

On motion,

The Senate went into committee of the whole on the general order, Senator Snow in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back

A bill to provide for the construction of a ship canal around the Falls of St. Mary's, with sundry amendments,

¶ In which the concurrence of the Senate was asked and from the further consideration of which the committee asked to be discharged..

The report was accepted, the committee discharged, and the amendments concurred in in gross.

— Mr. Johnson offered a substitute for the whole bill, after section one.

Mr. Harrington moved to amend by offering a substitute for the original bill, as amended, and Senator Johnson's amendment.

On motion of Mr. Gould,

The bill and the several substitutes were laid on the table and ordered printed.

Mr. Moore gave notice that he would ask leave on some future day to introduce

A bill to charter the Charlotte Academy, in the village of Charlotte, Eaton county.

Mr. Pierce asked and obtained leave of absence for Senator Dickey, until Monday next, on account of sickness.

On motion of Mr. Twombly,

Resolved, That the Enrolling and Engrossing Clerk be and he is hereby authorized to employ an assistant or assistants, whenever in his opinion it shall be deemed necessary to the prompt and efficient discharge of the duties of that office.

On motion, the Senate adjourned.

Lansing, January 14, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Knickerbacker.

Roll called ; a quorum present.

The journal of preceding day read, corrected and approved.

PETITIONS.

By Mr. Hixson : Memoria of Wm. Cockran and 7 others, legal voters of the townships of New Haven and Caledonia, in Shiawassee county ; of M. T. Cockran and 29 others not legal voters, of the same place, all asking for the passage of a law prohibiting the manufacture of all intoxicating beverages and the traffic therein.

Referred to the select committee on the subject.

Mr. McNaughton : Sundry petitions on the same subject.

Same reference.

Mr. Gould : of the Grand River Quarterly Association of Free-will Baptists for the passage of a law similar to the Maine Liquor Law.

Same reference.

REPORTS OF COMMITTEES.

Mr. McCauley, from the committee on the division of towns and counties, reported back House bill relative to the organization of the

county of Ontonagon in the Upper Peninsula, with the following amendment :

Amend section 2 by striking out the words "last day of April" and insert 15th day of March."

In which the concurrence of the Senate was asked, and from the further consideration of which the committee ask to be discharged.

The report was accepted, the committee discharged, and the amendments concurred in.

On motion of Mr. Gould,

The last section was stricken out.

The amendments were then ordered engrossed, and the bill to be read a third time, was so read and passed by a vote of two-thirds of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harris,
Hickok,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

28

NAYS:

Mr. Hixson,

Mr. Pierce,

2

And by a like vote the bill was ordered to take immediate effect.

Mr. Stowell, from the committee on State affairs, reported

A bill to cede certain premises to the county of Wayne for certain purposes.

The same was read twice, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill to amend chapter 136 of the revised statutes of 1846, relative to informations in the nature of *quo warranto*, and in certain other cases.

The same was read twice, laid on the table and ordered printed.

MESSAGES.

The President announced the following from the Executive :

EXECUTIVE OFFICE, }
Lansing, January 13, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

Joint resolution of a vote of thanks to Captain A. Canfield.

R. McCLELLAND.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 14, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill relative to the organization of the county of Marquette, in the Upper Peninsula,

Which the House have passed by a majority of two-thirds of all the members elected thereto, and have ordered by a like vote that it take immediate effect, in all which they respectfully ask the concurrence of the Senate.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill was read twice and referred to committee on the division of towns and counties.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Stowell, pursuant to notice, leave being granted, introduced

A bill to amend the laws incorporating the city of Detroit, and the several acts amendatory thereof.

The same was read twice, laid on the table and ordered printed.

On motion of Mr. Johnson,

A bill to provide for the formation of railroad corporations,

Was taken from the table and referred to committee on internal improvement.

On motion of Mr. Arzeno,

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Stevens,

A bill to amend section 1 of an act entitled an act to amend chapter twenty-five of the revised statutes of 1846,

Was taken from the table and referred to committee of the whole.

Mr. Paddock offered the following resolution, but the same was not adopted:

Resolved, That the committee on education be instructed to report a bill in accordance with section 4, article 13 of the constitution.

On motion of Mr. Snow,

A bill to provide for taxing foreign corporations,

Was taken from the table and referred to the committee on finance.

On motion of Mr. Smith,

A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may, or have occurred in that office,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Hixson,

A bill to repeal the act entitled an act to incorporate the Adrian Insurance Company,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Stowell,

A bill for the construction of public offices at the seat of government, at Lansing,

Was taken from the table and referred to committee of the whole.

The President announced the following communication:

SONS OF TEMPERANCE.
OFFICE OF THE GRAND SCRIBE,
Pontiac, Mich., Jan. 13, 1853. }

HON. ANDREW PARSONS,

President of the Senate:

DEAR SIR—The Grand Division of Sons of Temperance have directed me to forward the annexed resolution to you, as presenting a vote of their thanks to the Senate, for their favor in accommodating that body with the use of the Senate Chamber:

Resolved, That the thanks of the Grand Division of the Sons of Temperance be presented to the Senate of the State of Michigan,

for the use of Senate Chamber on the evenings of the 11th and 12th inst.

G. TAYLOR,
Grand Scribe.

On motion of Mr. Stowell,

A bill to provide for taking the census and statistics for the year 1854, and every ten years thereafter,

Was taken from the table and referred to committee of the whole.

GENERAL ORDER.

The Senate having arrived at the general order, went into committee of the whole thereon,

Senator McNaughton in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back

A bill to amend section one of an act entitled an act to amend chapter 25 of the revised statutes of 1846,

With sundry amendments in which the concurrence of the Senate was asked, and from the further consideration of which the committee ask to be discharged.

Also, that the committee had had under consideration,

A bill for the construction of public offices at the seat of government, at Lansing, had made some progress, and asked leave to sit again thereon.

The report was accepted and the committee discharged from the first named bill, and leave was granted to sit again on the second.

Pending the amendments to the first named bill,

On motion of Mr. Griswold,

The bill was laid on the table.

Mr. Snow asked and obtained leave of absence for Senator McCauley until Monday next, on account of sickness.

On motion, like leave for like reasons was granted Senator Hixson for the day.

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The President called the Senate to order.

Roll called ; a quorum present.

By consent, Mr. Griswold offered the following resolution which was adopted :

Resolved, That the committee on printing, be directed to procure a lithograph of the accompanying design of the Senate chamber, to be bound in the manual ordered by the Senate.

Mr. Gardner, by consent, offered joint resolution relative to the public domain.

The same was read twice, when

Mr. Gould moved to lay on the table.

Lost.

The resolution was then ordered to a third reading, and the rule having been suspended the same was so read and passed by the following vote :

YEAS :

Mr. Arzeno,	Mr. Hall,	Mr. Paddock,	
Beeson,	Harris,	Pierce,	
Clarke,	Hickok,	Russell,	
Curtenius,	Johnson,	Snow,	
Fralick,	Leonard,	Smith,	
Gardner,	Lyon,	Stevens,	
Goodrich,	Moore,	Stowell,	
Gould,	McCauley,	Twombly,	
Griswold,	McNaughton,		26

NAYS :

Mr. Kent,	Mr. Newberry,	2
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Senator Twombly, from the committee on enrolled bills, by consent, reported as correctly enrolled,

Joint resolution authorizing the appointment of watchmen about the Capitol ; also,

Joint resolution relative to the printing of a manual ; also,

An act to provide for the payment of the members and officers, and incidental expenses of the Legislature.

And the same were severally signed and presented to the Governor.

On motion of Mr. Snow,

The Senate went into committee of the whole, upon

A bill for the construction of public offices at the seat of government at Lansing,

Senator McNaughton in the chair.

After some time spent thereon, the committee rose, and through their chairman reported the bill back to the Senate, with sundry amendments in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, the amendments concurred in, in gross, and the bill laid on the table and ordered re-printed as amended.

On motion of Mr. Stevens,

A bill to amend section 1 of an act entitled an act to amend chapter 25 of the revised statutes of 1846,

Was taken from the table, the amendments made thereto in committee of the whole, as follows, were concurred in:

1st. After "statutes," in line 5 of section 1, insert, "as amended."

2d. After "highway," in line 3 of section 8, insert the words "or any part of it."

The bill was then ordered engrossed for a third reading, and having been engrossed, the same was so read and passed, by the following vote:

YEAS.

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Kent,
Lyon,
Moore,
McCauley,
McNaughton,
Newberry,
Paddock,

Mr. Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

26

NAYS.

Mr. Hickok,

1

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

The President announced the following message from the Executive:

EXECUTIVE OFFICE. }
Lansing, January 14, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the payment of the members and officers and incidental expenses of the Legislature;

Joint resolution authorizing the appointment of watchmen about the Capitol;

Joint resolution relative to the printing of a Manual.

R. McCLELLAND.

On motion,

The Senate adjourned.

Lansing, January 15, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of preceding day was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Moore: of Fred Aokley and 56 others; of Wm. Gerbin and 55 others, praying for an amendment to the charter of the Michigan Southern Railroad Company, granting the privilege to make a road from Monroe to Detroit.

Referred to the committee on incorporations.

By Mr. Hickok: sundry petitions on the subject of the Maine law.

Referred to select committee.

By Mr. Gardner: sundry petitions in favor of amendments to the charter of the Michigan Southern Railroad Company.

Referred to committee on incorporations.

By Mr. McNaughton: memorial of R. Landon, treasurer of Jackson county, praying for the alteration or repeal of a part of an act of 1849, entitled an act to provide for the removal of the State Land Office to the seat of government.

Referred to the committee on the judiciary.

By Mr. Lyon: of the board of supervisors of the county of Kent, for the passage of an act for the distribution of certain agricultural works among the several towns in this State.

Referred to the committee on agriculture.

REPORTS.

Mr. Johnson, from the committee on internal improvement, reported back

Senate bill to provide for the formation of rail road corporations,

With amendments, in which the concurrence of the Senate was asked, and from the further consideration of which the committee ask to be discharged.

The report was accepted and the committee discharged.

Pending the amendments,

Mr. Johnson moved to refer the bill to the committee of the whole.

Pending which,

Mr. Snow moved to refer to the committee on incorporations.

The question was first taken on Mr. Johnson's motion,

But the same did not prevail.

Mr. Johnson then moved to lay the bill on the table.

Lost.

The question then recurring upon Mr. Snow's motion,

The same prevailed.

Mr. Snow, from the committee on finance, reported back

Senate bill to provide for taxing foreign corporations,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Harrington, from the committee on public lands, reported back

Senate bill to authorize the Board of Education and the Trustees of the Michigan Asylums to appropriate lands to open roads across certain asylum and normal school lands with amendments,

In which the concurrence of the Senate was asked, and from the further consideration of which the committee asked to be discharged.

The report was accepted and the committee discharged, the amendments concurred in, and the bill ordered engrossed and to be read a

third time, and the same having been engrossed, was so read, when

On motion of Mr. Griswold,

The bill was laid on the table.

Mr. Gould, from the judiciary committee, reported joint resolutions authorizing the payment of certain lost bonds.

The same was read twice, laid on the table and ordered printed.

Mr. Gould submitted the following report :

The judiciary committee, to whom was referred the bill from the House of Representatives, to extend the time for the collection and return of taxes, in the towns of Campbell and Sebewa, in the county of Ionia, for the year 1852, and for other purposes, would respectfully report that they have had the same under consideration ; that they have been put in the possession of no facts which satisfy them that the Legislature should interfere to provide a remedy for what would seem to have been the gross ignorance of the township officers.

They are of the opinion that if towns will elect to office men too ignorant to discharge properly its most simple duties, those towns should find no favor at the hands of the Legislature. Our laws are plain and simple, and there is no difficulty in finding men, who can comply with them in the making of a tax roll, if, in the selection of township officers the people will use the same care and prudence that they do in their private affairs.

The committee would therefore report the bill back to the Senate without any recommendation, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

The report was accepted and the committee discharged, and the bill laid on the table.

Also the following :

The judiciary committee to whom was referred a bill to amend chapter 70 of the revised Statutes of 1846, would respectfully report that they have had the same under consideration, and that they have examined the section of the revised statutes proposed to be amended by the first section of said bill, and they are of the opinion that the said section as it now stands, is preferable to the proposed amendment.

The second section of said bill proposes to confer upon executors and administrators, the right to administer oaths in certain cases. Your committee are of the opinion that no further legislation is necessary, to facilitate the taking of affidavits; that there are already a sufficient number of public officers authorized to administer oaths, to accommodate the people, and answer the ends of public justice. They would therefore report the bill back to the Senate and recommend that it do not pass, and ask to be discharged from the further consideration thereof. All which is respectfully submitted.

The report was accepted, the committee discharged, and the bill laid on the table.

Also, reported back

Senate bill to provide for the discharge of certain duties required to be performed by circuit court commissioners,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, the bill laid on the table and ordered printed.

Also the following:

The committee to whom was referred the bill from the House of Representatives, to extend the time for the collection of taxes in the township of Heath, in the county of Allegan, respectfully report that they have had the same under consideration, that they have been put in possession of no facts which would warrant legislative interference, to provide a remedy for the palpable neglect of duty of the township officer whose duty it was to have made out the tax roll within the time prescribed by law. They would therefore report the bill back without any recommendation in regard to it, leaving the Senate to act in the premises as it may deem proper, and ask to be discharged from the further consideration of the subject. All which is respectfully submitted.

The report was accepted, the committee discharged, and the bill laid on the table.

Mr. Griswold, from the same committee, reported

A bill ceding jurisdiction to the United States over lot No. 1, section 34, in township No. 22 north of range 8 east.

The same was read twice and referred to the committee of the whole.

Mr. Twombly, from the committee on the division of towns and counties, submitted the following report:

The committee on division of towns and counties, to whom was referred the House bill relative to the organization of the county of Marquette, in the Upper Peninsula, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, ask their concurrence therein, and the committee ask to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Paddock,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hickok,	Russell,	
Fralick,	Hixon,	Snow,	
Gardner,	Kent,	Smith,	
Goodrich,	Leonard,	Stevens,	
Gould,	Lyon,	Stowell,	
Griswold,	Moore,	Twombly,	
Hall,	Newberry,	Wright,	27

NAYS:

Mr. McNaughton, 1

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

MESSAGES.

The President announced the report of the Trustees of the Detroit Savings Fund Institute, made in pursuance of the requirements of their charter.

The same was laid on the table and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Snow,

A bill to incorporate the city of Adrian,

Was taken from the table and referred to the committee on incorporations.

Mr. Stowell, by consent, presented the memorial of the directors of the Detroit & Maumee Railroad Company.

Referred to judiciary committee.

On motion of Mr. Stowell,

The rule was suspended and the committee of the whole discharged from the further consideration of Senate bill to provide for taking the census and statistics for the year 1854 and every ten years thereafter.

And the same was recommitted to the committee on State affairs.

On motion of Mr. Harrington,

The rule was suspended, and the committee of the whole discharged from the further consideration of

A bill to amend the charter of the Detroit, Romeo & Port Huron Railroad Company.

And the same was referred to the committee on incorporations.

Mr. Goodrich gave notice that he would at some future day ask leave to introduce

A bill to authorize the Auditor General to re-issue a certain land warrant.

On motion of Mr. Gould,

A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of the circuit courts,

Was taken from the table.

On motion,

The last section was stricken out.

The bill was then ordered to a third reading, so read and passed by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixon,
Kent,
Leonard,
Lyon,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

29

NAYS.

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And the same was ordered to take immediate effect by a vote of two thirds of all the Senators elect.

On motion,

The Senate adjourned.

Lansing, January 17, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Atterbury.

Roll called; a quorum present.

The journal of Saturday was read, corrected and approved.

PETITIONS.

By Mr. Hall: of Amos Gray and 21 others, for an appropriation of the salt spring lands to establish an agricultural department in the State Normal School.

Referred to the committee on education.

By Mr. Stowell: of E. C. Nichols and others, of Trenton, Wayne county, for a law similar to the Maine liquor law.

Referred to the select committee on that subject.

By Mr. Hixson: of Wm. Fulton and 12 others, of Genesee county, on same subject.

Same reference.

By Mr. Snow: of John Smith and 148 other legal voters, of Clinton, Lenawee county, praying the repeal of the charter of the Adrian Insurance Company.

Read and referred to the committee of the whole.

REPORTS.

Mr. Snow, from the committee on incorporations, reported back Senate bill to incorporate the city of Adrian,

With sundry amendments, in which the concurrence of the Senate was asked, recommending its passage as proposed to be amended, and from the further consideration of which the committee asked to be discharged.

The report was accepted and the committee discharged.

The amendments, as follows, were concurred in in gross:

1st amendment; amend section 9, line 2, by striking out the word "requested," and inserting the word "required."

2d amendment; amend section 15, line 5, by inserting the words "streets or," before the words "side walks."

3d amendment; section 16, line 16, by striking out the word "conferring," and inserting the word "confirming."

4th amendment; section 19, line 12, by inserting between the words "city" and "for," the words "once a week."

5th amendment; strike out in lines 17 and 18 of said section, the word "twenty," and insert the word "fifteen."

6th amendment; strike out in line 21 of said section, the first word "the," in the line, and insert the word "fee."

7th amendment; also, in line 13 of same section, after the word "marshal," insert the words "or his successor in office."

8th amendment; amend section 24, line 16, by striking out the words "common council," and insert the words "chief engineer;" also, in line 18 strike out the words "subject to the order of the mayor."

9th amendment; amend section 26, line 4, by striking out the word "prosecute," and insert the word "punish."

10th amendment; amend section 29, by filling the blank with the words, "the school house in school district number four."

11th amendment; amend by striking out the last section.

Mr. Kent offered the following amendment, which was adopted:

Amend section 1, line 5, by inserting after the words "thirty-five," the words "and so much of the residue of said section as will include the bridge near the red mill, so called."

The bill was then ordered engrossed and to be read a third time, and having been engrossed, was so read and passed, by the following vote:

YEAS:

Mr. Clarke,
Cartenius,
Frailick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,
Harris,

Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

28

NAYS:

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And the same was ordered to take immediate effect, by a vote of two-thirds of all the Senators elect.

Mr. Goodrich, on leave of the committee on incorporations, to whom was referred the memorial of the Pontiac and Genesee Railroad Company, reported the same back accompanied by

A bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, the memorial laid on the table, and the bill read twice, laid on the table and ordered printed.

Mr. Clarke, from the committee on mines and minerals, reported

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver and other ores.

The same was read twice, laid on the table and ordered printed.

Mr. Goodrich, from the committee on incorporations, reported back

Senate bill to amend the charter of the Detroit, Romeo and Port Huron Railroad Company,

With an amendment in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, and the bill with amendment referred to the committee of the whole.

Mr. Clarke, from the committee on mines and minerals, reported

A bill to authorize the district judge of the Upper Peninsula to hold in trust, and convey lands included in the town site of the village of Ontonagon in the county of Ontonagon.

The same was read twice, laid on the table and ordered printed.

Mr. Moore, from the committee on education, reported

Joint resolutions asking for an additional donation of the public lands to the Michigan University fund.

Which were adopted.

MESSAGES.

The President announced the following:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, January 11, 1853. }

HON. ANDREW PARSONS,

President of the Senate:

SIR—I have the honor to transmit herewith to the Legislature, an abstract of the reports of the superintendents of the poor, for the

several counties in the State of Michigan, for the year 1852, as received at this office.

I am sir, very respectfully,

Your ob't serv't,

WM. GRAVES,

Secretary of State.

The report was laid on the table and ordered printed.

Also the following :

ADJUTANT & QUARTER MASTER GENERAL'S OFFICE, }
Detroit, January 8, 1853.

Hon. ANDREW PARSONS,

President of the Senate:

SIR—I have the honor herewith to transmit my annual reports for for the years 1851 and 1852, of the condition and administration of this department during that period, and to remain,

Very respectfully,

Your ob't serv't,

J. E. SCHWARZ,

Adj. & Qr. Master General.

The report was referred to the committee on the militia.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 17, 1853.

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

1. A joint resolution providing a place for the sessions of the Supreme Court in Lansing ;
2. Joint resolutions relative to the erection of certain light houses on Lake Superior and Michigan ; and
3. Joint resolution relative to certain school lands.

All which the House have passed, and respectfully ask the concurrence of the Senate therein.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The first named joint resolution was read twice and ordered to a third reading, and the rule having been suspended, the same was read a third time and passed by a vote of a majority of all the Senators elect.

The second named joint resolution was read twice, and referred to the committee on public lands.

The third named joint resolution was read twice and referred to the committee on federal relations.

MOTIONS RESOLUTIONS AND NOTICES.

Mr. Leonard gave notice that he would at some future day ask leave to introduce

A bill to amend an act entitled an act to authorize the commissioner of the State Land Office to sell certain primary school lands, approved February 9, 1849.

On motion of Mr. McNaughton,

Resolved, That the use of the Senate Chamber be granted, and the same is hereby tendered to Dr. Calvin H. Chase, for four lectures on anatomy, physiology and hygiene, on Monday, Tuesday, Wednesday and Thursday evenings of this week, provided the Senate do not require its use.

Mr. Griswold moved a suspension of the rule, for the purpose of reconsidering the vote by which

A bill to amend section 6, chapter 11 of the revised statutes of 1846, was lost some ten days previous ;

But the Senate refused, two-thirds not voting in the affirmative.

Mr. Stowell, unanimous consent being given, introduced

A bill authorizing the Annual Conference of the M. E. Church of this State to hold certain property.

The same was read twice, laid on the table and ordered printed.

Mr. Griswold gave notice that he would ask leave to introduce

A bill to repeal sections 7, 8, 9, 10, 11 and 12 of an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849.

On motion of Mr. Gould,

House bill to extend the time for the collection and return of taxes in the towns of Campbell and Sebewa, in the county of Ionia, for the year 1852, and for other purposes,

Was taken from the table; the first section of the bill, on his motion, was amended by inserting after the word "towns," the words "Campbell and Sebewa, in the county of Ionia."

Mr. Hickok moved an adjournment; but the Senate refused to adjourn.

The amendments were then ordered engrossed and the bill to be read a third time, and having been engrossed, the bill was so read.

The question being on the passage of the bill,

Mr. Wright moved the previous question, which was ordered by a two-thirds vote; and the main question being on the passage of the bill, was taken, and the bill was passed by a majority vote, as follows:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,
Beeson,	Harrington,	Newberry,
Clarke,	Harris,	Paddock,
Curtenius,	Hickok,	Russell,
Fralick,	Johnson,	Snow,
Gardner,	Kent,	Smith,
Goodrich,	Leonard,	Stevens,
Gould,	Lyon,	Twombly
Griswold,	Moore,	Wright, 27

NAYS:

Mr. Hixson,	Mr. Pierce,	Mr. Stowell, 3
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And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. Hixson moved an adjournment; but the Senate refused to adjourn.

On motion of Mr. Pierce,

The Senate adjourned until 2 o'clock.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

On motion of Mr. Gould,

Resolved, That the Sergeant-at-Arms be authorized to appoint an assistant, whose duty it shall be to attend to the door during the ses-

sions of the Senate, and assist the fireman during the recess if necessary.

Mr. Snow offered the following resolution:

Resolved, That the Secretary of the Senate be instructed to ascertain, if possible, what has become of the Reporter to the Senate, and report the result of his researches to the Senate as soon as convenient.

On motion of Mr. Goodrich,

The same was laid on the table.

GENERAL ORDER.

The Senate having arrived at the general order, went into committee of the whole thereon,

Senator Johnson in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back without amendment,

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes;

A bill to provide for an additional circuit court commissioner for the county of Wayne; and

A bill to amend chapter 138 of the revised statutes of 1846.

Also, that the committee had made some progress in the consideration of

A bill to repeal an act entitled an act to incorporate the Adrian Insurance Company,

And asked to be discharged from the further consideration of the bills first named, and leave to sit again on the last.

The report was accepted and the committee discharged from the three bills first named, and leave was granted to sit again on the last.

The bills reported back were severally laid on the table.

On motion,

The Senate adjourned.

Lansing, January 18, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of preceding day read, corrected and approved.

The Chair announced the following :

To the President of the Senate :

SIR—The undersigned, Sergeant-at-arms of the Senate, begs leave to report, that by the authority of the resolution adopted by the Senate on the 17th inst, he has appointed Mr. R. C. Madden, his assistant, as contemplated by said resolution.

Very Respectfully,

R. M. COLLINS.

PETITIONS.

By Mr. Gardner: of sundry citizens of Hillsdale county, for an amendment to the charter of the Michigan Southern Railroad Company.

Referred to committee on incorporations.

Mr. Moore : of sundry citizens of St. Joseph county, containing like prayer. Same reference.

Mr. Lyon : resolution of the board of supervisors of the county of Kent, on the subject of the assessment and collection of taxes.

Referred to committee on judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. Griswold, from the committee on the judiciary, reported

A bill to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works.

Read twice, laid on the table and ordered printed ; also,

A bill relative to the deeds of married women.

Read twice laid on the table and ordered printed.

A bill to provide for the consolidation of the Detroit & Erin and Erin & Mt. Clemens Plank Road Companies.

Read twice, laid on the table and ordered printed ; also,

A bill to amend sections 2, 6 and 8, of an act to continue for a limited time the charter of the Farmers' & Mechanics' Bank of Michigan;

A bill to amend sections 5, 6, 7, 9, 11 and 13, of an act to amend and consolidate the act to incorporate the stock-holders of the Michigan Insurance Company, of Detroit, approved March 7, 1834, and the acts amendatory thereto, approved March 23, 1849; and

A bill to amend sections 6, 13 and 15 of an act to incorporate the president, directors and company of the Farmers' & Merchants' Bank of Ann Arbor.

The same were severally read twice and referred to the committee on incorporations.

Mr. Gould, from the same committee, reported

Joint resolution relative to the salary of the Governor, for the year 1852.

A bill to provide for the removal of causes in civil cases from justices' courts to the circuit courts by certiorari, and to repeal sections 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134 and 135 of an act entitled an act to prescribe the powers and duties of Justices of the peace in civil proceedings, approved April 9, 1841; and

A bill to amend sections 17 and 18 of chapter 108 of the revised statutes of 1846.

The same were severally read twice, laid on the table and ordered printed.

Mr. Griswold, from the same committee, reported

A bill to repeal sections 7, 8, 9, 10, 11 and 12 of an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849.

The same was read twice, laid on the table and ordered printed.

Mr. Harrington, from the committee on public lands, reported back House joint resolution relative to certain primary school lands.

With an amendment in which the concurrence of the Senate was asked, and from the further consideration of which the committee asked to be discharged.

The report was accepted, the committee discharged, and the amendment concurred in.

Mr. Fralick moved that the resolution be indefinitely postponed.

Lost.

On motion of Mr. Gould,

The same was re-committed to the committee.

Mr. Lyon, from the committee on federal relations, submitted the following report:

The committee on federal relations, to whom was referred a preamble and joint resolution of the House relative to requesting our Senators and Representatives in Congress to use their influence to procure appropriations for the erection of certain light houses, have had

the some under consideration, and recommend its passage with the following amendment :

That there be added one at the mouth of the Manistee River, one at the mouth of the Pier Marquette River, and one at the mouth of the White River, on the east side of Lake Michigan, and one on the west end of Hog Island, in Detroit River.

All of which is respectfully submitted, and the committee ask to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

The amendments were concurred in, ordered engrossed, the joint resolution to be read the third time; was so read and passed by a majority of all the Senators elect.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Harrington,

A bill to authorize the Board of Education and the Trustees of the Michigan Asylums to appropriate lands to open roads across certain Asylum and Normal School lands,

Was taken from the table.

On motion of Mr. Griswold,

The same was re-committed to the committee on public lands, with instructions to amend.

Mr. Smith offered the following resolution:

Resolved, That the committee on supplies be and is hereby authorized to furnish to each Senator one copy of the State Journal.

For which Mr. Griswold offered the following substitute:

Resolved, That the committee on printing be requested to make an arrangement with the proprietors of the State Journal for furnishing each member and officer of the Senate with five copies of their tri-weekly Journal, and to have the number of the journals printed for the Senate curtailed sufficient to meet the additional expense.

Which prevailed, and the resolution as amended was adopted.

On motion of Mr. Hickok,

Resolved, That the committee on supplies and expenses furnish a thermometer for the Senate Chamber, to enable the fireman to regulate the degree of heat.

GENERAL ORDER.

The Senate having arrived at the general order, went into committee of the whole thereon,

Senator Fralick in the chair.

After some time spent thereon, the committee rose and through their chairman reported back

A bill to repeal the act entitled an act to incorporate the Adrian Insurance Company,

With an amendment, in which the concurrence of the Senate was asked, and from the further consideration of which the committee asked to be discharged.

The report was accepted and the committee discharged.

The amendment as follows:

Amend by inserting after the figures "1839," in line two of section one, the words "and acts amendatory thereof."

The bill was ordered engrossed and to be read a third time, was so read, when

Mr. Stowell moved an adjournment,

But the Senate refused to adjourn.

The question was then taken on the passage of the bill, and the same was passed by a majority vote of all the Senators elect, as follows:

YEAS.

Mr. Arzeno,
Beeson,
Clarke,
Fralick,
Gould,
Griswold,
Hall,
Harrington,

Mr. Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Twombly,

22

NAYS:

Mr. Curtenius,
Dickey,
Gardner,
Goodrich,

Mr. Harris,
Hickok,
Johnson,

Mr. Pierce,
Stowell,
Wright,

10

Mr. Stowell moved to amend the title of the bill so as to read "a bill of expediency."

But the motion did not prevail.

The title of the bill as printed was then adopted.

An adjournment was moved,

But the Senate refused to adjourn.

On motion,

The Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

The Senate resumed the consideration of the general order,
Senator Lyon in the chair.

After some time spent thereon, the committee rose and through
their chairman reported back

A bill to provide for the appointment of circuit court commissioners, in all those counties in which vacancies may or may have occurred, in the office, with amendments, in which the concurrence of the Senate was asked;

A bill ceding jurisdiction to the United States over lot No. 1, section 34, in township No. 22 north of range 8 east, without amendment; and

A bill to provide for taxing foreign corporations,

With amendments, in which the concurrence of the Senate was asked.

The report was accepted and the committee discharged.

The amendments to the bill first named, as follows, were concurred in:

1. After "may," in 3d line of section 1, insert "occur."
2. In 4th line strike out all after "office," and insert "until the 1st day of January next succeeding the next general election thereafter."
3. Strike out section 2.

The bill was then laid on the table.

The second named bill was ordered to a third reading, so read and passed by a majority vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Clarke,	Hickok,	Paddock,
Cürtenius,	Hixson,	Pierce,
Dickey,	Johnson,	Russell,
Fralick,	Kent,	Snow,
Gardner,	Leonard,	Smith,
Goodrich,	Lyon,	Stevens,
Gould,	Moore,	Stowell,
Griswold,	McCauley,	Twombly,
Hall,	McNaughton,	Wright,

30

NAYS:

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, The amendments to the third named bill, as follows, were concurred in:

1. Blank in third line of section 1. filled with "2."
2. In lines seven and eight, strike out "State Treasurer" and insert "Auditor General;".

And the bill was laid on the table.

On motion of Mr. Johnson,

A bill to provide for the construction of a ship canal around the Falls of St. Mary's, and substitutes therefor,

Were taken from the table and referred to the committee of the whole.

On motion,

The Senate adjourned.

Lansing, January 19, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Knickerbocker.

Roll called; a quorum present.

The journal of the preceding day was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Stowell: of 691 legal voters, and 1,110 persons, not voters, for a law similar to the Maine liquor law.

Referred to select committee.

By Mr. Smith: of 276 legal voters of the county of Macomb, for an alteration of the school laws.

Referred to committee on education.

By Mr. Goodrich: of 93 citizens of Genesee county; like prayer.
Same reference.

By Mr. Johnson: of 155 citizens of Saginaw county; like prayer.
Same reference.

REPORTS.

Mr. Hall, from the committee on State prison, reported
A bill conferring additional powers and duties on the clerk of the State prison, and for other purposes.

The same was read twice, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill to amend section 61 of chapter 14 of the revised statutes.

The same was read twice, laid on the table and ordered printed.

Mr. Moore, from the committee on education, reported

A bill relative to the University interest fund.

The same was read twice, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill to provide for sheriff's fees in certain cases.

Which was read twice, laid on the table and ordered printed.

Mr. Harrington, from the committee on public lands, to whom was recommitted

A bill to authorize the Board of Education and the Trustees of the Michigan Asylums to appropriate lands to open roads across certain asylum and normal school lands,

With instructions to amend by inserting after "lands," in fourth line of section 1, as follows: "subject to the 16th section of an act entitled an act to consolidate and amend the laws relative to the establishment of a State Normal School, approved March 25, 1850," reported the same back amended pursuant to instructions.

The report was accepted, the committee discharged, the amendments concurred in, and the bill laid on the table.

Also, to whom was recommitted

House joint resolution relative to certain primary school lands,

Reported the same back, recommending its passage, and asked to be discharged.

The report was accepted, the committee discharged, the same ordered to a third reading, so read, when

Mr. Snow moved an indefinite postponement of the resolutions; which motion, the Chair decided out of order.

Mr. Snow took an appeal from the decision of the Chair.

Mr. Clarke moved to lay the appeal on the table; but the motion did not prevail.

The question being taken, "shall the decision of the Chair stand as the decision of the Senate?" the same was decided in the affirmative, as follows:

YEAS:

Mr. Clarke, Curtenius, Fralick, Gardner, Goodrich, Gould, Griswold, Hall, Harrington,	Mr. Harris, Hixson, Kent, Leonard, Lyon, Moore, McNaughton, McCauley,	Mr. Newberry, Paddock, Russell, Smith, Stevens, Stowell, Twombly, Wright,	25
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NAYS:

Mr. Arzeno, Beeson, Dickey,	Mr. Hickok, Johnson,	Mr. Pierce, Snow,	7
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Mr. Johnson moved to postpone action on the resolution for two weeks; but the motion did not prevail.

The question recurring upon the passage of the joint resolution, the same was passed by a majority vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno, Clarke, Curtenius, Gardner, Goodrich, Gould, Griswold,	Mr. Harrington, Harris, Johnson, Leonard, Lyon, Moore, McCauley,	Mr. McNaughton, Paddock, Russell, Snow, Stevens, Twombly, Wright,	21
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NAYS:

Mr. Beeson, Dickey, Fralick, Hall,	Mr. Hickok, Hixson, Kent, Newberry,	Mr. Pierce, Smith, Stowell,	11
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Mr. Griswold, from the judiciary committee, reported

A bill to amend sections 6, 13 and 15 of an act to incorporate the President, Directors and Company of the Peninsular Bank.

The same was read twice and referred to committee on incorporations.

MESSAGES.

The President announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 18, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate :

A bill to authorize the collection of corporation taxes, for the year 1852, in the village of Coldwater, in the county of Branch,

And to respectfully inform the Senate that the House have concurred therein.

Also to transmit

A bill to amend an act entitled an act to organize the county of Montcalm, approved March 20th, 1850 ; and

A bill to provide for the publication of probate and other legal notices,

Both which the House have passed, each by a vote of two-thirds of all the members elected, and respectfully ask the concurrence of the Senate therein.

I am further instructed to respectfully inform the Senate, that the House have concurred in the Senate amendment, to the bill to extend the time for the collection and return of taxes in the towns of Campbell and Sebewa, in the county of Ionia, for the year 1852, and for other purposes, and have ordered said bill as amended to be enrolled.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

The first named bill was ordered enrolled.

The second named bill was read twice, and referred to the committee on the division of towns and counties.

The third named bill was read twice, and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Fralick,

A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850,

Was taken from the table and ordered to be read a third time, was so read, and passed by a two-thirds vote of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,	
Beeson,	Harrington,	Paddock,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hickok,	Russell	
Dickey,	Kent,	Snow,	
Fralick,	Leonard,	Smith,	
Gardner,	Lyon,	Stevens,	
Goodrich,	Moore,	Stowell,	
Gould,	McCauley,	Twombly,	
Griswold,	McNaughton,	Wright,	30

NAYS:

Mr. Hixson,

On motion of Mr. Arzeno,

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes,

Was taken from the table.

On motion of Mr. Fralick,

The same was amended by adding to section 2 as follows :

Provided, That the provisions of this act shall not be construed to apply to taxes assessed in any other year under the provisions of an act referred to in the first section of this act, or to any taxes assessed under the act referred to, not returned as delinquent to the office of the Auditor General on or before the third day of April, A. D. 1848.

The bill was ordered engrossed and to be read a third time, was so read, and passed by the following vote, being a majority of all the Senators elect:

YEAS:

Mr. Arzeno,	Mr. Hickok,	Mr. Russell,
Clarke,	Johnson,	Snow,
Fralick,	Leonard,	Smith,
Goodrich,	Lyon,	Stevens,

Griswold,
Harrington,
Harria,

Moore,
McCauley,
McNaughton,

Stowell,
Twombly,
Wright, 21

YEAS :

Mr. Beeson,
Curtenius,
Dickey,
Gardner,

Mr. Gould,
Hall,
Hixson,
Kent,

Mr. Newberry,
Paddock,
Pierce, 11

Mr. McNaughton moved that

A bill to authorize the Board of Education and the Trustees of the Michigan Asylums, to appropriate lands to open roads across certain Asylum and Normal School lands,

Be taken from the table and committed to the judiciary committee.

Mr. Hickok moved to so amend as to refer to the committee on printing,

But the same did not prevail.

The motion of Mr. McNaughton was then agreed to.

On motion of Mr. Goodrich,

A bill to amend the charter of the Pontiac and Genessee Railroad Company,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Gould,

A bill to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851,

Was taken from the table and ordered to be read a third time, was so read, and passed by the following majority vote of all the Senators elect :

YEAS :

Mr. Arzeno,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Moore,

Mr. McCauley,
McNaughton,
Newberry,
Paddock,
Pierce,
Smith,
Stevens,
Wright, 24

NAYS:

Mr. Harris, Lyon,	Mr. Russell, Snow,	Mr. Stowell, Twombly,	6
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On motion,

The Senate adjourned until 2 o'clock, P. M.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

On motion of Mr. Pierce,

The vote by which

A bill to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851,

Was passed. was reconsidered.

On motion of Mr. Gould,

The vote by which the same was ordered to a third reading, was also reconsidered.

On motion of Mr. Gould,

The following amendment thereto, was adopted:

Line 5, section 25, at the end of section, add: "*Provided, That nothing herein contained shall be construed to authorize the taking, under said proceedings, any property exempt from levy and sale on execution by the constitution and laws of this State.*"

The bill was ordered engrossed and to be read a third time, was so read, when

Mr. Snow moved to lay the bill on the table.

Lost, by the following vote:

YEAS.

Mr. Arzeno, Dickey, Gardner, Goodrich,	Mr. Hixson, Johnson, Paddeck,	Mr. Snow, Stowell, Twombly,	10
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NAYS:

Mr. Beeson, Curtenius,	Mr. Hickok, Kent,	Mr. Newberry, Pierce,
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Fralick,
Gould,
Griswold,
Hall,
Harris,

Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Russell,
Smith,
Stevens,
Wright,

20

The question recurring on the passage of the bill, the same was passed by a majority vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Hickok,
Kent,
Leonard,
Lyon,

Mr. Moore,
McCauley,
McNaughton,
Newberry,
Pierce,
Russell,
Stevens,
Wright,

24

NAYS:

Mr. Hixson,
Johnson,

Mr. Paddock,
Snow,

Mr. Stowell,
Twombly,

6

On motion of Mr. Stevens,

A bill to provide for taxing foreign corporations,

Was taken from the table.

Mr. Kent moved to amend by striking out of line 3, in section 2, the words "one-half of said fine to go to the complainant."

Lost.

On motion of Mr. Gould,

The words "or other corporations" were stricken out wherever they occurred in the bill.

Mr. Harrington moved to insert after "charged," in line 4, section 1, the words "over losses."

Lost.

Mr. Beeson moved to strike out the words "verified by oath," in 8th line of section 1, and all after "State," in 4th line of section 2.

Lost.

On motion of Mr. Leonard,

"Report" was stricken out of line 5, section 1, and "return" inserted; also, after "company," in same line, insert "on file in the office of the Auditor General."

Mr. Dickey moved to add to section 1, "Provided, That nothing in this act contained shall require agents of responsible insurance

companies, to pay any tax in accordance with the provisions of this act, when their losses exceed the premiums received, during the year previous to the assessment of the tax."

But the same did not prevail.

The bill was then ordered engrossed for a third reading, and having been engrossed, was so read and passed by a majority vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Curtenius,	Hickok,	Paddock,	
Fralick,	Hixson,	Russell,	
Gardner,	Leonard,	Snow,	
Goodrich,	Lyon,	Smith,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	McNaughton,		23

NAYS:

Mr. Beeson,	Mr. Harrington,	Mr. Pierce,	
Clarke,	Johnson,	Stevens,	
Dickey,	Kent,	Stowell,	9

Mr. Griswold moved to amend the title by striking out "corporations" and inserting "insurance companies."

Mr. Harrington moved to amend the same so as to read, "a bill to tax persons who get their property insured."

Lost.

Mr. Stowell then moved to amend the same so as to read, "a bill to prevent foreign capital from coming into the State."

Lost.

The question recurring upon Mr. Griswold's motion,

The same prevailed.

On motion,

The Senate adjourned.

Lansing, January 20, 1853.

The Senate was called to order by the President.

Roll called; a quorum present.

The journal of yesterday was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Hickok: of sundry persons in favor of a law similar to the Maine law.

Referred to the select committee on that subject.

By Mr. Fralick: remonstrance of 103 citizens of the county of Montcalm against the removal of the present county site.

Referred to the committee on the division of towns and counties.

By Mr. Moore: of sundry persons in favor of the Maine liquor law.

Referred to the select committee on that subject.

By Mr. Smith: of sundry persons on same subject.

Same reference.

By Mr. Dickey: of sundry persons on same subject.

Same reference.

By Mr. Snow: of the stockholders of the Ypsilanti and Tecumseh Railroad Company, for an equitable settlement with the State.

Referred to the committee on judiciary.

By Mr. Hixson: of Noah Clark and 130 other legal voters, of Manchester, Washtenaw county, for a law abolishing fractional school districts.

Referred to committee on education.

By Mr. Stowell: of Cha's G. Hammond, S. C. Hammond, and 84 other citizens of Detroit, for an act amendatory to the charter of the Michigan Central Railroad Company, so as to enable it to extend its road to Monroe and the Ohio line.

Referred to the committee on incorporations.

Also, of J. W. Tillman and 50 others; of James Scott and 33 others, and John McGraw and 5 others, for amendment of the charter of the Michigan Southern Railroad Company, and to extend their road to the city of Detroit.

Referred to the committee on incorporations.

REPORTS.

Mr. Gould, from the committee on judiciary, reported

A bill to amend section 58 of chapter 90 of the revised statutes of 1846, and to provide for taking testimony in open court in certain cases;

Which was read twice, laid on the table and ordered printed.

Also,

A bill supplementary to an act entitled an act to define the limits, jurisdiction and powers of the circuit courts, approved April 8th, 1851;

And the same was read twice, laid on the table and ordered printed.

Also, reported back House bill to provide for the publication of probate and other legal notices, without amendment, recommended its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill laid on the table.

Senator Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act to authorize the collection of corporation taxes for the year 1852, in the village of Coldwater, in the county of Branch;

And the same was signed and presented to the Governor.

Mr. Fralick submitted the following report:

The select committee upon the subject of the manufacture and sale of ardent spirits, to whom was referred the numerous petitions on the subject, respectfully report that they have had the same under consideration, and have instructed me as their chairman to report a bill in accordance with the prayer of the petitioners, being

A bill preventing the manufacture of intoxicating beverages and the traffic therein,

Recommend its passage and ask to be discharged.

The report was accepted, the committee discharged, the bill read twice, laid on the table and ordered printed.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 19, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland,

Which the House have passed by a two-thirds vote of all the members elected, and respectfully ask that the Senate concur therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was read twice, ordered to a third reading, and the rule having been suspended, was so read and passed, by the following vote:

YEAS:

Mr. Arseno,
Clarke,
Curtenius,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,
Harris,

Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

28

NAYS:

Mr. Pierce,

1

The same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 19, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to repeal an act entitled an act to incorporate the Adrian Insurance Company, approved April 17, 1839, which the House have passed by a two-third vote of all the members elected, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was read twice.

Mr. Gould moved to suspend the rule so as to read the bill the third time ; but the motion did not prevail, two-thirds not voting in the affirmative :

YEAS:

Mr. Arzeno,
Clarke,
Fralick,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Wright,

20

NAYS:

Mr. Beeson,
Curtenius,
Dickey,
Goodrich,

Mr. Hickok,
Hixson,
Johnson,
McNaughton.

Mr. Stevens,
Stowell,
Twombly,

11

Mr. Johnson moved to refer the bill to the committee on incorporations ; but the motion was not agreed to, as follows :

YEAS.

Mr. Curtenius,
Dickey,
Hickok,

Mr. Johnson,
Pierce,

Mr. Stowell,
Wright,

7

NAYS :

Mr. Arzeno,
Beeson,
Clarke,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Kent,
Hixson,
Leonard,
Lyon,
Moore,
McNaughton,

Mr. McCauley,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Twombly,

23

On motion of Mr. Gould,

The bill was laid on the table.

The President announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 19, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to return to the Senate a bill making appropriations for the salaries of State officers for the years 1853 and 1854,

Which the House have passed with amendments, by a two-thirds vote, and ordered by a like vote, that it take effect immediately, in which the concurrence of the Senate is respectfully asked ; and to transmit

A bill providing for procuring a fire engine and suitable apparatus for extinguishing fires at the State capitol ; and

A bill for the relief of James Waters, which the House have passed and respectfully ask the concurrence of the Senate therein ; also to return

Joint resolutions asking an additional donation of the public lands to the Michigan University fund, and to respectfully inform the Senate that the House have concurred therein.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The first named bill was laid on the table.

The second named bill was read twice and referred to the committee on State affairs.

The third named bill was read twice and referred to the committee on public lands.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hickok gave notice that he would at some future day, ask leave to introduce

A bill to amend the charter of the Grand River valley Railroad Company, approved March 4, 1846 ;

And to amend the charter of the Battle Creek and Grand Rapids Railroad Company ;

And to amend the charter of the Marshall and Grand Rapids Railroad Company.

Mr. Griswold gave notice that he should on some future day ask leave to introduce

A bill to amend an act to incorporate the Michigan Mining Company ; also,

A bill supplementary to the common school law.

On motion of Mr. Griswold,

A bill making appropriations for the salaries of State officers for the years 1853 and 1854, was taken from the table.

The first House amendment thereto, being to strike out "five," in line 14 of section one, and insert "six," was non-concurred in, a majority of all elect not voting in the affirmative, as follows :

YEAS:

Mr. Clarke,
Curtenius,
Gould,
Griswold,
Hall,
Harrington,

Mr. Hixson,
Johnson,
Leonard,
Lyon,
Moore,

Mr. McCauley,
Smith,
Stevens,
Stowell,
Twombly,

16

NAYS:

Mr. Arzeno,
Beeson,
Dickey,
Fralick,
Gardner,
Goodrich,

Mr. Harris,
Hickok,
Kent,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Wright,

16

The 2d amendment being to strike out "four hundred and seventy-five," in line 19, and insert "six hundred," was concurred in by a majority of all the Senators elect, as follows:

YEAS:

Mr. Clarke,
Gould,
Griswold,
Hall,
Harrington,
Harris,

Mr. Hixson,
Johnson,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Snow,
Smith,
Stevens,
Stowell,
Twombly,

17

NAYS:

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,

Mr. Gardner,
Goodrich,
Hickok,
Kent,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Wright,

15

The 3d amendment, to amend section 2, to correspond with section 1, as amended by the House, was concurred in by a majority of all the Senators elect.

On motion of Mr. Snow,

The vote by which the first House amendment was non-concurred in, was reconsidered; and the same was then concurred in by the vote of a majority of all the Senators elect, as follows:

YEAS:

Mr. Clarke,
Curtenius,
Gould,
Griswoold,
Hall,
Harrington,

Mr. Harris,
Hixson,
Johnson,
Leonard,
Lyon,
Moore,

Mr. McCauley,
Snow,
Smith,
Stevens,
Stowell,
Twombly,

18

NAYS:

Mr. Arzeno,
Beeson,
Dickey,
Fralick,
Gardner,

Mr. Goodrich,
Hickok,
Kent,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Wright,

14

And the bill as amended was ordered enrolled.

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

Mr. Twombly moved to suspend rule 26, for the purpose of moving a reconsideration of the vote by which

A bill to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851,

Was passed, yesterday; but the motion did not prevail, two-thirds not voting in the affirmative, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Dickey,
Gardner,

Mr. Hickok,
Johnson,
Paddock,
Pierce,

Mr. Snow,
Stowell,
Twombly,

11

NAYS.

Mr. Clarke,
Curtenius,
Fralick,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hixon,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. McNaughton,
Newberry,
Russell,
Smith,
Stevens,
Wright,

20

Mr. Twombly gave notice that he would on some future day ask leave to introduce

A bill to repeal sections 25, 26, 27, 28 and 29 of act 156 of the session laws of 1851, and to amend the revised statutes of 1846, relative to highways; also,

A bill to amend chapter 9 of the revised statutes of 1846.

Mr. Gould gave notice that he would on some future day ask leave to introduce

A bill to establish an agricultural school.

The Senate went into committee of the whole on the general order,

Senator Hixson in the chair.

After some time spent thereon, the committee rose, and through their chairman reported that the committee had had under consideration,

A bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Had made some progress, and asked leave to sit again.

Leave was granted.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

Joint resolutions asking an additional donation of public lands to the Michigan University Fund;

An act making appropriations for the salaries of State officers for the years 1853 and 1854;

And the same were signed and presented to the Governor.

Mr. Goodrich asked and obtained leave of absence for Senator Stevens until Monday next, on account of sickness.

Mr. Gardner, for like reasons, asked and obtained leave of absence for Senator Beeson, for an indefinite period.

On motion,

The Senate adjourned.

Lansing, January 21, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

The journal of preceding day read, corrected and approved.

PETITIONS.

By Mr. Stowell: a remonstrance of Joseph H. Bagg, of the city of Detroit, and 3000 others, against the amendment of the city char-

ter, relative to the city water works, and in favor of amending the charter so as to elect by the people all the city officers that now or may be created hereafter by the people at their annual election.

Referred to judiciary committee.

Also: of Wm. Barclay and 33 others; of A. Fisher and 13 others; of John Luther and 14 others, in favor of aiding the Michigan State Agricultural Society.

Referred to the committee on agriculture.

By Mr. Dickey: memorial of the President and Executive Committee of the State Agricultural Society, asking an appropriation of \$1,000 in aid of the Society.

Read and referred to the committee on agriculture.

By Mr. Moore: of Wm. Andrews and 87 others, with like prayer. Same reference.

By Mr. Dickey: of L. Maynard, R. E. Hall, and 115 others, farmers and business men of Calhoun county, for the appropriation of \$1000 in aid of the Agricultural Society.

Same reference.

By Mr. Paddock: of L. C. Watkins and 44 others; like prayer. Same reference.

By Mr. Griswold: of Samuel A. McCoskry, Bishop of the Protestant Episcopal Church in the Diocese of Michigan, relative to a division of the school funds of this State.

Read, laid on the table and ordered printed.

Also: of the officers and directors of the Detroit Gas Light Company, for an amendment to their charter.

Referred to committee on incorporations.

By Mr. Snow: of F. Hart and 282 other citizens of Lenawee county, praying for an amendment to the act to provide for organizing an active militia, &c., approved May 18, 1846.

Referred to committee on militia.

REPORTS.

Mr. Harrington, from the committee on public lands, reported

A bill to amend section 25 of chapter 60 of the revised statutes of 1846, relative to University and school lands.

The same was read twice and laid on the table. Also,

A bill to amend section 2, chapter 60 of the revised statutes of 1846, relative to the sale of University and School lands.

The same was read twice, laid on the table and ordered printed.

Mr. Stowell, from the committee on State affairs, reported back.

House bill providing for procuring a fire engine and suitable apparatus for extinguishing fires at the State Capitol,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. Gould, from the judiciary committee, reported a joint resolution relative to the Ypsilanti and Tecumseh Railroad Company; read twice laid on the table and ordered printed.

MESSAGES.

The President announced the following:

EXECUTIVE OFFICE,
Lansing, January 21, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act making appropriations for the salaries of State officers for the years 1853 and 1854 ;

An act to authorise the collection of corporation taxes for the year 1852, in the village of Coldwater in the county of Branch ;

Joint resolutions asking an additional donation of the public lands to the Michigan University fund.

R. McCLELLAND.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 20, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House have concurred in the Senate amendments to the joint resolutions relative to the erection of certain light houses on Lakes Superior and Michigan, and to the joint resolution relative to certain primary school lands and have ordered said joint resolutions as amended severally enrolled.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 20, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

Joint resolution relative to the claim of A. St. Amand, late treasurer of Genessee county, which the House have passed by a two-thirds vote of all the members elected, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk of the House of Rep's.

The joint resolution was read twice, and referred to the committee on finance.

Also the following :

OFFICE OF SUP'T. OF PUB. INSTRUCTION, }
Lansing, January 21, 1853. }

To the President of the Senate:

SIR—Herewith is transmitted the annual report of this office with accompanying documents.

I have the honor to be,

Very Respectfully,

Your ob't serv't.,

FRANCIS W. SHEARMAN,

Sup't Pub. Instruction

The report was laid on the table.

Also the following :

OFFICE MICH. STATE AGRICULTURAL SOCIETY, }
Detroit, January, 1853. }

To the President of the Senate:

I have the honor herewith to transmit the 4th annual report of the Michigan State Agricultural Society.

In consequence of the delay of County Agricultural Societies, in forwarding their reports, also of exhibitors in furnishing their statements, I am obliged to present this report in an unfinished state. Should your honorable body order the printing of the report, I would respectfully ask that before it is printed, it may be returned to me

as the statements yet to be received, and which should form a part of the report, will add much to the value of the work.

J. C. HOLMES,

Sec'y Mich. State Ag'l Society.

The report was referred to the committee on agriculture.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. McCauley, pursuant to notice, leave being granted, introduced
A bill in aid of the Michigan Asylums;

Which was read twice and referred to the committee on State affairs.

Mr. Gould, pursuant to notice, leave being granted, introduced
A bill to establish an Agricultural School;

Which was read twice and referred to the committee on education.

Mr. Griswold, pursuant to notice, leave being granted, introduced
A bill to amend section 3 of an act entitled an act to incorporate the city of Detroit Gas Company, approved March 14, 1849;

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Company; and

A bill supplementary to the common school laws.

The same were severally read twice, the first named laid on the table and ordered printed; the second named laid on the table, and the third named referred to the committee on education.

On motion of Mr. Clarke,

A bill to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon,

Was taken from the table, the same ordered to be read a third time, was so read, and passed by a majority vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stowell,
Twombly,

Hall,
Harris,

McNaughton,

Wright,

28

NAYS:

0

The bill was then ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

On motion of Mr. Smith,

A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may, or have occurred in that office,

Was taken from the table.

On motion of Mr. Griswold,

Section 1 was amended by striking out the words "by and with the advice and consent of the Senate."

The bill was then ordered to be read a third time, was so read, and passed by a majority vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Twombly,
Wright,

26

NAYS:

Mr. Stowell,

1

And the same was ordered by a vote of two-thirds of all the Senators elect to take immediate effect.

Mr. Paddock, leave being granted, introduced

A joint resolution requiring the Trustees of the Michigan Central College at Spring Arbor, to report as required by the 5th section of the act of incorporation.

The same was read twice, and the rule being suspended, was ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Arzeno,
Curtenius,
Dickey,

Mr. Harris,
Hickok,
Hixson,

Mr. Newberry,
Paddock,
Russell,

Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Johnson,
Kent,
Leonard,
Lyon,
McCauley,
McNaughton,

Snow,
Smith,
Stowell,
Twombly,
Wright,

26.

NAYS :

0

Mr. Hickok, pursuant to notice, leave being granted, introduced

A bill to amend the charter of the Grand River Valley Railroad Company; and

A bill to amend an act entitled an act to incorporate the Marshall and Grand Rapids Railroad Company.

The same were severally read twice and referred to the committee on internal improvement.

On motion of Mr. Snow,

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon, and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848,

Was taken from the table and referred to committee of the whole.

Mr. Twombly, pursuant to notice, leave being granted, introduced

A bill to amend section 2 of chapter 9 of the revised statutes of 1846 ; and

A bill to repeal sections 25, 26, 27, and 28, of act No. 156 of session laws of 1851.

The same were severally read twice, the first named referred to the committee on State affairs, and the second named to the committee on roads and bridges.

On motion,

The Senate went into committee of the whole on

A bill to provide for the construction of a ship canal around the Falls of St Mary's ;

Senator Hixson in the chair.

After some time spent thereon, the committee rose and through their chairman reported the bill back to the Senate with amendments in which the concurrence of the Senate was asked, and from the further consideration of which the committee asked to be discharged.

The report was accepted and the committee discharged.

On motion of Mr. Johnson,

The Senate adjourned until 2 o'clock, P. M.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The President, by consent, announced the following message from the House :

HOUSE OF REPRESENTATIVES, }
Lansing, January 21, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit the enclosed concurrent resolution, which the House of Representatives have adopted, and respectfully ask the concurrence of the Senate therein.

I am also instructed to respectfully inform the Senate that the House have appointed Messrs. Mitchell and McWhorter, a committee on the part of the House, to act with a like committee on the part of the Senate, to wait upon Dr. Tappan and invite him to deliver an address in the Hall of the House of Representatives this evening, and to respectfully request the appointment of a like committee by the Senate.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The resolution was concurred in.

On motion,

Senators Wright and Curtenius were appointed a committee on the part of the Senate, to act with the House committee, as requested by the House.

The Senate resumed the consideration of the St. Mary's Canal bill, which, after argument, was laid on the table.

On motion of Mr. Harrington,

House concurrent resolution relative to the committee of the two Houses, to whom had been referred the subject of constructing a

ship canal around the falls of St. Mary's River, was taken from the table and adopted.

On motion of Mr. Hall,

A bill conferring additional powers and duties on the clerk of the State Prison, and for other purposes,

Was taken from the table and referred to the committee of the whole.

Mr. Harrington, leave being granted, introduced

A bill to authorize the commissioner of the State Land Office to lease certain State property in the city in Detroit.

The same was read twice, when

Mr. Lyon moved to lay on the table and print.

Lost.

Mr. Harrington moved to suspend the rule, so as to read the bill a third time,

But the same did not prevail, two-thirds not voting in the affirmative, as follows :

YEAS:

Mr. Clarke,
Curtenius,
Dickey,
Gardner,
Goodrich,
Gould,

Mr. Griswold,
Harrington,
Hickok,
Johnson,
Leonard,

Mr. McCauley,
Pierce,
Stowell,
Twombly,
Wright,

16

NAYS:

Mr. Arzeno,
Fralick,
Hall,
Harris,
Hixson,

Mr. Kent,
Lyon,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Russell,
Snow,
Smith,

14

The bill was then laid on the table.

On motion of Mr. Gould,

A bill to amend section 61 of chapter 14 of the revised statutes,

Was taken from the table, ordered to be read the third time, was so read and passed by a majority vote of all the Senators elect as follows :

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,

Mr. Harrington,
Harris,
Hickok,

Mr. Newberry,
Paddock,
Pierce,

Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Hixson,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,
McNaughton,

Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

29

NAYS :

0

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

On motion of Mr. Moore,

A bill relative to the University interest fund was taken from the table and referred to the committee of the whole.

On motion,

The Senate went into committee of the whole on the general order, Senator Curtenius in the chair.

After some time spent thereon the committee arose, and through their chairman reported back

A bill to amend the charter of the Detroit, Romeo & Port Huron Railroad Company without amendment, asking to be discharged therefrom.

The report was accepted and the committee discharged.

The bill was laid on the table, when

On motion,

The Senate adjourned.

Lansing, January 22, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr Dayfoot.

Roll called ; a quorum present.

The journal of the preceding day read, corrected and approved.

PETITIONS.

By Mr. Lyon: of W. Z. Blanchard and 25 other citizens of Ionia county, against the passage of the Maine liquor law.

Laid on the table.

Also: of W. Z. Blanchard, and other citizens, for an alteration in the collection laws.

Referred to committee on the judiciary.

By Mr. Hall: of E. W. Morgan and 51 others, of Ann Arbor, to amend the charter of the Government Stock Bank as to make it conform to the law of the State of New York, regulating Banks whose circulation is secured by the pledge of public stocks.

Referred to the committee on incorporations.

By Mr. Snow: of F. C. Beaman and 168 others; of L. G. Berry and 50 others; E. P. Andrews and 20 others, and also the President and Common Council of the village of Adrian, for the incorporation of a city.

Laid on the table.

By Mr. Johnson: of 25 citizens of Lapeer county, in favor of appropriating \$2000 to the State Agricultural Society.

Laid on the table.

By Mr. Russell: remonstrance of G. W. Wilson and 74 other voters of Ionia county, against the passage of the Maine liquor law.

Laid on the table.

By Mr. Root: remonstrance of 40 citizens of Adrian, against the passage of the act incorporating the city of Adrian.

Laid on the table.

By Mr. Gardner: sundry petitions in favor of the Maine liquor law.

Laid on the table.

REPORTS OF COMMITTEES.

Mr. Snow submitted the following report:

The committee on incorporations, to whom was referred sundry petitions, praying an amendment to the Michigan Southern Railroad Charter, have had the same under consideration, and on leave of said committee, I respectfully ask leave to report a bill in accordance with the prayer of the petitioners, and ask on behalf of committee, to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the petitions laid on the table, and the bill, being

A bill to amend an act entitled an act to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846,

Was read twice, laid on the table and ordered printed.

Mr. Stowell, from the committee on State affairs, reported back Senate bill in aid of the Michigan Asylums, Recommending its passage.

The report was accepted, the committee discharged, the bill laid on the table and ordered printed.

Also, Senate bill to amend section 2 of chapter 9 of the revised statutes of 1846, recommending its passage.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read, and passed by the following vote, being a majority of all the Senators elect:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,
Clarke,	Hickok,	Paddock,
Curtenius,	Hixson,	Pierce,
Dickey,	Johnson,	Russell,
Fralick,	Kent,	Snow,
Gardner,	Leonard,	Smith,
Goodrich,	Lyon,	Stowell,
Gould,	Moore,	Twombly,
Griswold,	McCauley,	Wright,
Hall,		

28

NAYS:

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The following message was announced by the President :

HOUSE OF REPRESENTATIVES, }
Lansing January 21, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

Joint resolutions relative to a grant of lands to aid in constructing a railroad to the Upper Peninsula of Michigan,

Which the House have passed by a majority vote, and respectfully ask the concurrence of the Senate therein.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolutions were read twice, and the rule having been suspended, were ordered to be read a third time, were so read and passed by the following majority vote of all the Senators elect :

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

28

NAYS:

Mr. Harrington,

1

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 21, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill ceding jurisdiction to the United States over a certain tract of land situate on Beaver Island, Lake Michigan; also over a tract of land situated at Eagle River, Lake Superior,

Which the House have passed with an amendment, by a two-thirds vote, and respectfully ask the concurrence of the Senate therein.

Also to transmit,

A Bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases;

A bill to amend an act entitled an act to provide for holding terms of the district court in the Upper Peninsula, approved June 28, 1851;

A bill to provide for the payment of the expenses of the State government; and

A bill to amend chapter 48, section 1, title 9 of the revised statutes of 1846.

All of which the House have passed by a vote of two-thirds of all the members elected, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The first House amendment was concurred in by a majority of all the Senators elect.

The second House amendment was concurred in by a like vote; also the 4th, amending the title.

The 3rd House amendment was concurred in, by the following majority vote of all the Senators elect:

YEAS:

Mr. Arzeno,	Mr. Griswold,	Mr. Lyon,	
Clarke,	Hall,	Moore,	
Curtenius,	Harris,	McCauley,	
Dickey,	Johnson,	Pierce,	
Fralick,	Kent,	Smith,	
Goodrich,	Leonard,	Wright,	18

NAYS:

Mr. Gardner,	Mr. Hixson,	Mr. Stowell,	
Gould,	Paddock,	Twombly,	
Hickok,	Russell,		8

And the bill as amended was ordered enrolled.

The House bills were severally read twice and referred as follows:

First named to the committee on public lands.

Second and third named to the committee on judiciary.

Fourth named to the committee on finance.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Arzeno gave notice that he would on some future day ask leave to introduce

A bill to provide for the exemption of personal property from sale on execution or other final process of any court, issued for the collection of any debt contracted since the adoption of the revised constitution.

On motion of Mr. Griswold,

A bill to authorize the commissioner of the State Land Office to lease certain State property in the city of Detroit, was taken from the table.

The Senator then offered a substitute therefor, which was adopted, when,

On motion of Mr. Stowell,

The bill was laid on the table.

On motion of Mr. Dickey,

House bill to repeal an act to incorporate the Adrian Insurance Company was taken from the table.

The same was ordered to be read a third time, was so read and passed by the following vote :

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Clarke,	Harris,	Paddock,	
Dickey,	Hickok,	Pierce,	
Fralick,	Hixson,	Russell	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,	McCauley,		26

NAYS:

Mr. Curtenius,	Mr. Stowell,	Mr. Johnson,	3
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On motion of Mr. Gould,

House bill to extend the time for the collection of taxes in the township of Heath, in the county of Allegan, for the year 1852, was taken from the table and ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. McCauley,	
Clarke,	Harris,	Russell,	
Curtenius,	Hickok,	Snow,	
Fralick,	Kent,	Smith,	
Goodrich,	Leonard,	Stowell,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,			22

NAYS:

Mr. Dickey,	Mr. Hixson,	Mr. Paddock,	
Gardner,	Newberry,	Pierce,	6

And by a like vote ordered to take immediate effect.

On motion of Mr. Griswold,

A bill to provide for an additional circuit court commissioner for the county of Wayne,

Was taken from the table.

Mr. Hixson moved to amend the first section by inserting "and Washtenaw," after "Wayne."

Mr. Harrington moved to amend the amendment, by adding "St. Clair," which was agreed to, and the amendment as amended, was adopted.

Mr. Snow then moved to insert also, "Jackson and Ingham."

Mr. Dickey moved to amend the amendment, by adding "and all other organized counties in the State," which prevailed, as follows:

YEAS.

Mr. Arzeno,	Mr. Hickok,	Mr. Pierce,	
Clarke,	Leonard,	Russell,	
Dickey,	Moore,	Smith,	
Fralick,	McCauley,	Stowell,	
Gardner,	Paddock,	Twombly,	
Goodrich,			16

NAYS:

Mr. Curtenius,	Mr. Harrington,	Mr. Lyon,	
Gould,	Harris,	Newberry,	
Griswold,	Hixson,	Snow,	
Hall,	Kent,	Wright,	12

And the amendment as amended, was adopted.

Mr. Fralick moved to strike out the first section of the bill, which prevailed, as follows:

YEAS:

Mr. Arzeno,	Mr. Gould,	Mr. Newberry,	
Curtenius,	Hall,	Paddock,	
Dickey,	Harris,	Pierce,	
Fralick,	Kent,	Twombly,	
Gardner,	Moore,	Wright,	15

NAYS:

Mr. Clarke,	Mr. Hixson,	Mr. Russell,	
Goodrich,	Johnson,	Snow,	
Griswold,	Leonard,	Smith,	
Harrington,	Lyon,	Stowell,	
Hickok,	McCauley,		14

Mr. Griswold moved a reconsideration of the last vote; but the same did not prevail, as follows:

YEAS:

Mr. Goodrich,	Mr. Hixson,	Mr. McCauley,	
Griswold,	Johnson,	Snow,	
Harrington,	Leonard,	Smith,	
Harris,	Lyon,	Stowell,	12

NAYS:

Mr. Arzeno,	Mr. Gould,	Mr. Paddock,
Clarke,	Hall,	Pierce,

Curtenius,
Dickey,
Fralick,
Gardner,

Hickok,
Kent,
Moore,
Newberry,

Russell,
Twombly,
Wright,

17

On motion of Mr. Gould,

The bill was laid on the table.

Mr. Leonard, pursuant to notice, leave being granted, introduced

A bill to amend an act authorizing the Commissioner of the State Land Office to sell certain primary school lands.

The same was read twice and laid on the table.

On motion of Mr. Gardner,

Resolved, That the Attorney General be and he is hereby requested to communicate to the Senate his opinion respecting the power of commissioners of highways to lay out, alter or discontinue private roads.

Mr. Hixson moved an adjournment; but the Senate refused to adjourn, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Dickey,
Fralick,
Gardner,
Goodrich,

Mr. Gould,
Hall,
Harrington,
Kent,
Leonard,
Moore,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Smith,

17

YEAS:

Mr. Griswold,
Harris,
Hickok,
Hixson,

Mr. Johnson,
Lyon,
McCauley,
Snow,

Mr. Stowell,
Twombly,
Wright,

11

On motion of Mr. Fralick,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

On motion,

The Senate went into committee of the whole on the general order,
Senator Arzeno in the chair.

After spending some time thereon, the committee rose and through their chairman reported that the committee had had under consideration,

A bill to amend the charter of the Pontiac and Genesee Railroad Company,

In which the committee had made some progress, and asked leave to sit again.

Leave was granted.

On motion,

The Senate adjourned.

Lansing, January 24, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Atterbury.

Roll called; a quorum present.

The journal of Saturday was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Curtenius: of N. A. Balch, Joseph Miller Jr., A. B. Webster, J. Cadman and 250 others, legal voters, of the county of Kalamazoo, for the passage of a law similar to the Maine law, so called. Also, of 76 persons, not voters, asking for the passage of a law similar to the Maine law in reference to the traffic in liquors.

Laid on the table.

By Mr. Gardner: of sundry citizens of Hillsdale county, on same subject.

Laid on the table.

By Mr. Leonard: of sundry citizens of Branch county, on same subject.

Laid on the table.

By Mr. Snow: remonstrance of R. H. Whitney and 30 others, residents of Madison, Lenawee county, against the passage of the bill to incorporate the city of Adrian.

Laid on the table.

REPORTS.

Mr. Snow, from the committee on finance, reported back House bill to provide for the payment of the expenses of the State government, recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed by the following majority vote of all the Senators elect:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Clarke,	Harris,	Paddock,	
Curtenius,	Hickok,	Pierce,	
Dickey,	Hixson,	Russell,	
Fralick,	Johnson,	Snow,	
Gardner,	Kent,	Smith,	
Goodrich,	Leonard,	Stowell,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,	McCauley,		29
	NAYS:		0

Also reported back House joint resolution relative to the claim of the State against A. St. Amand, late treasurer of Genesee county, recommended its passage and asked to be discharged.

The report was accepted, the committee discharged, the joint resolution ordered to be read a third time, was so read and passed by a majority vote of all the Senators elect, as follows:

YEAS :

Mr. Arzeno,	Mr. Harris,	Mr. Paddock,	
Clarke,	Hixson,	Pierce,	
Fralick,	Johnson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,	McCauley,		23
	NAYS:		

Mr. Curtenius,	Mr. McNaughton,	Mr. Stowell,	
Hickok,	Newberry,		5

Mr. McCauley submitted the following:

The committee on the Division of towns and counties, to whom was referred

House bill to amend an act entitled an act to organize the county of Montcalm, approved March 20th, 1850,

Respectfully report that they have had the same under consideration, report the bill back to the Senate without amendment, and re-

commend that it do not pass; likewise report back a remonstrance on the same subject, from the citizens of Montcalm county.

The report was accepted, the committee discharged, and the bill and remonstrance laid on the table.

Mr. Gould, from the judiciary committee, reported back

House bill to amend an act entitled an act to provide for holding terms of the district court in the Upper Peninsula, approved June 28, 1851; and

House bill to amend chapter 48, section 1, title 9, of the revised statutes of 1846, recommending their passage.

The report was accepted, the committee discharged, and the bills severally ordered to be read a third time, were so read, and the first named passed by the following majority vote of all the Senators elect:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. McNaughton,	
Clarke,	Harris,	Newberry,	
Curtenius,	Hickok,	Paddock,	
Dickey,	Hixson,	Pierce,	
Fralick,	Johnson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Stowell,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,	McCauley,		29

NAYS:

0

And the second named passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McCauley,	
Clarke,	Harrington,	McNaughton,	
Curtenius,	Harris,	Newberry,	
Dickey,	Hixson,	Pierce,	
Fralick,	Johnson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	27

NAYS:

Mr. Hickok,	Mr. Paddock,	2
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Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend sections 2, 6 and 8, of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan,

With a substitute therefor, in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, the bill and substitute laid on the table and ordered printed.

Also reported,

A bill to amend section 13 of an act to incorporate the President, Directors and Company of the Peninsular Bank,

As a substitute for the original referred, in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, the substitute laid on the table and ordered printed.

Also reported,

A bill to increase the capital stock of the Detroit Gas Company,
Which was read twice and laid on the table.

Mr. Leonard submitted the following report:

The committee on agriculture, to whom was referred sundry petitions and memorials asking for an appropriation of money in aid of the Michigan State Agricultural Society, and for the publication and distribution of the annual report of the society, have had the same under consideration, and believing the agricultural interests of the State demand such an expenditure, have instructed me as their chairman to report a bill in accordance with the prayer of the petitioners, and respectfully ask that they may be discharged from the further consideration of said petitions and memorials.

The report was accepted, the committee discharged, and the petitions laid on the table.

The bill, being a bill making an appropriation to aid the Michigan Agricultural Society, and to provide for publishing the annual reports of said society,

Was read twice, laid on the table and ordered printed.

MESSAGES.

The President announced the following:

EXECUTIVE OFFICE, }
Lansing, Jan. 24, 1853. }

To the Senate and House of Representatives:

I most respectfully call your attention to that part of my message which relates to banking corporations. The tax is payable this month, and the State officers should be relieved from the doubts and uncertainties that have heretofore existed. The banks should not have the entire control, in fixing the amount to be paid. I am informed by the State Treasurer that the Government Stock Bank has paid its tax for the past year in conformity with the principle of the message, and why should not the others?

The surplus in the treasury is large and increasing. It is now deposited in Banks; and if the practice is to be continued, ample security, in my judgment, should be required for its prompt payment.

I am prepared to nominate to a joint convention of both branches of the Legislature, an Adjutant General.

R. McCLELLAND.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 22, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to provide for a sinking fund,

Which the House have passed by a two-thirds vote of all the members elected, and respectfully ask that the Senate concur therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was read twice and referred to the committee on finance.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 24, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to repeal an act entitled an act to incorporate the Adrian Insurance Company,

And to respectfully inform the Senate that the House have non-concurred therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Griswold,

A bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Was taken from the table.

The question being on concurring in the amendments made there-to in committee of the whole, the first amendment, as follows, was concurred in:

Section 5, line 5, after the word "canal," insert "which said salaries, compensation, costs and expenses shall be paid by the contractor or contractors, from time to time, as the same are ascertained, into the State treasury; and said salaries, compensation, costs and expenses, as the same accrue, shall be paid by the State Treasurer, on the warrant of the Auditor General, to the persons entitled thereto."

The question being on the second amendment, being a substitute for section 6,

Mr. Griswold offered the following as a substitute therefor, which was adopted:

Amend section 6, by substituting the following in lieu thereof:

"Sec. 6. The commissioner shall require said canal to be constructed and completed within two years from making the contract, and on the completion of the same within said period, to their satisfaction and acceptance, and to the satisfaction of the Governor and engineer, they shall cause a certificate thereof to be signed by the commissioners, Governor and engineer, and filed in the office of the Commissioner of the State Land Office. Thereupon, it shall be the duty of the said Commissioner of the State Land Office, forthwith to make certificates of purchase for so much of said lands as by the terms of contract for construction of said canal, are to be conveyed for the purpose of defraying its cost,

and the expenses hereinbefore provided, which certificates shall run to such persons, and for such portions of said lands so selected, and to be conveyed as the contractor may designate, and shall forthwith be delivered to the Secretary of State, and patents shall immediately be issued thereon as in other cases.

And the amendment as amended, was concurred in.

The third amendment, as follows:

Section 2, line 5. after the first word "canal," insert, "and are authorized and empowered to make all necessary contracts for the construction of the same, and during said construction, if at any time said commissioners shall be dissatisfied with the manner of construction or the materials used, it shall be competent for them, or a majority of them, to direct the contractor to construct the same in such other manner, and to use such other materials as two of such commissioners, or a majority of them, or engineer, shall deem necessary to ensure a permanent and durable work; and this condition shall be embodied in any contract made for construction of said canal. In case any controversy shall arise between the commissioners and contractor or contractors in regard to said materials, or the manner of doing said work during the construction of said canal, the same shall be decided by a board to consist of said engineer and the Governor of this State and the district judge of the Upper Peninsula, who shall decide thereon in a summary manner; and the decision of a majority of them shall be binding and conclusive upon the contractors, who shall thereupon proceed with the work in the manner, and make use therein of the materials so required by said board, or a majority of them,"

Was concurred in, by the following vote:

YEAS.

Mr. Clarke,	Mr. Harris,	Mr. Moore,	
Curtenius,	Hixson,	McCauley,	
Fralick,	Johnson,	Pierce,	
Gardner,	Kent,	Russell,	
Gould,	Leonard,	Smith,	
Hall,	Lyon,	Stowell,	18

NAYS:

Mr. Arzeno,	Mr. Harrington,	Mr. Paddock,	
Dickey,	Hickok,	Snow,	
Goodrich,	McNaughton,	Twombly,	
Griswold,	Newberry,		11

The 4th amendment, section 2, line 3, after the word "act," insert "of Congress and this act," was concurred in.

Mr. Snow then moved to fill the blank in line 3 of section 7, so as to read, "first Monday of October."

Carried.

Mr. Clarke offered the following as a new section, to stand as section 9, which was adopted:

Sec. 9. For the selection of the lands granted by Congress as aforesaid, for the construction of said canal, the Governor shall appoint agents in pursuance of said act. He shall give notice to the person or persons contracting under this act to construct said canal, to recommend to him suitable persons to make such selection; and he shall appoint such agents from the persons so recommended, if, in his judgment, suitable and proper persons for that purpose.

Mr. Fralick offered the following to stand as section 10:

If the contractor or contractors shall deposit with the State Treasurer for the use of the State of Michigan, in case of forfeiture, United States stocks, or the stocks of the State of Michigan, or of the State of New York, or of the State of Ohio, bearing interest at their par value, to the amount of \$1.25 per acre, for the whole amount of said 750,000 acres of land; then and in that case, the said contractor or contractors, their heirs or assigns, shall have such lands conveyed to them in the manner provided in this act, for their conveyance on the completion of said canal; and in the case of failure of the said contractor or contractors to complete the canal agreeable to his or their contract, or in case of any failure on the part of the contractor or contractors, which shall be so declared by the proper authority, as set forth in this act, the said stocks so deposited with the State Treasurer shall, from and after the time of such failure being declared by the authority aforesaid, become the absolute property of the State, for the purposes for which the land was originally granted by Congress.

But the same was not adopted, as follows :

YEAS.

Mr. Arzeno,
Fralick,
Gardner,

Mr. Hickok,
Johnson,
Moore,

Mr. Newberry,
Paddeck,
Stowell,

9

NAYS:

Mr. Clarke,
Curtenius,
Dickey,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hixson,
Kent,
Leonard,
Lyon,
McCauley,
McNaughton,

Mr. Pierce,
Russell,
Snow,
Smith,
Twombly,
Wright,

20

Mr. Clark moved to amend by striking out of line 6, in section 2, the figures "66," and inserting the words "seventy feet."

Pending which,

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

A quorum being present,

The Senate resumed the consideration of the canal bill.

The question being upon the motion of Mr. Clarke, to strike out and insert,

Mr. Gould moved to amend the amendment, by also striking out all after the word "wide," in line 6 of section 2; which prevailed.

And the amendment as amended, was agreed to.

Mr. Dickey moved to strike out all after the word "canal," in third line of section 2, and insert:

In accordance with the plans and specifications made by Capt. Canfield, and submitted by the Governor to this Legislature, subject however to such modification and alterations as the commissioners and engineer may deem expedient before the letting of the contract.

Lost, as follows:

YEAS:

Mr. Dickey,

Mr. Pierce,

2

NAYS:

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,

Mr. Harrington,
Harris,
Hickok,
Hixson,

Mr. McCauley,
Newberry,
Paddock,
Russell,

Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Johnson,
Kent,
Leonard,
Lyon,
Moore,

Snow,
Smith,
Stowell,
Twombly,
Wright, 27

Mr. Pierce move to strike out all after the word "canal," in 5th line of section 2.

Lost, by the following vote :

YEAS :

Mr. Dickey,
Fralick,
Hall,
Harrington,

Mr. Kent,
McNaughton,
Newberry,
Paddock,

Mr. Pierce,
Snow,
Stowell,
Twombly, 12

NAYS.

Mr. Arzeno,
Clarke,
Curtenius,
Gardner,
Goodrich,
Gould,

Mr. Griswold,
Harris,
Hickok,
Hixson,
Johnson,
Leonard,

Mr. Lyon,
McCauley,
Russell,
Smith,
Wright, 17

Mr. Pierce moved to re-commit the bill, with instructions to amend so as to correspond with the act of Congress.

But the motion did not prevail.

Mr. Dickey offered the following, to stand as a new section :

The lands donated by said act of Congress for the construction of said canal shall be exempt from taxation for the term of five years from and after their location, if held by the original contractors, and made subject to taxation whenever the title changes from them to any other person or persons.

Mr. Gould moved to amend by inserting after the word "taxation," the words "for State purposes, and no other."

Lost, as follows :

YEAS :

Mr. Clarke,
Gardner,
Gould,
Griswold,
Harris,

Mr. Hickok,
Johnson,
Kent,
Leonard,
Lyon,

Mr. Newberry,
Paddock,
Russell,
Stowell, 14

NAYS :

Mr. Arzeno,
Curtenius,

Mr. Harrington,
Hixson,

Mr. Pierce,
Snow,

Dickey,
Fralick,
Goodrich,
Hall,

Moore,
McCauley,
McNaughton,

Smith,
Twombly,
Wright,

16

Mr. McNaughton then offered the following, as a substitute to Mr. Dickey's amendment :

That said lands shall be exempt from taxation for five years, unless the commissioner shall make a contract with the provision that the lands shall be taxed as soon as they pass into the hands of the contractors.

But the substitute did not prevail.

Mr. Johnson moved the previous question.

But the same was not ordered, two-thirds not voting in the affirmative, as follows :

YEAS:

Mr. Arzeno,
Clarke,
Fralick,
Gardner,
Goodrich,
Gould,
Hall,

Mr. Harris,
Hickok,
Johnson,
Kent,
Leonard,
Lyon,

Mr. McCauley,
McNaughton,
Newberry,
Russell,
Twombly,
Wright,

19

NAYS:

Mr. Curtenius,
Dickey,
Griswold,
Harrington,

Mr. Hixson,
Moore,
Paddock,
Pierce,

Mr. Snow,
Smith,
Stowell,

11

The question recurring upon the amendment offered by Mr. Dickey, the same was lost, as follows:

YEAS:

Mr. Dickey,
Griswold,

Mr. Harrington,

Mr. McNaughton,

4

NAYS:

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Hall,
Harris,

Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

26

Mr. Gould offered the following amendment, which prevailed:

That such contractor is by this act empowered and authorized to associate with himself in the obligations, agreements and conditions of said contract, such persons or parties as he may elect, and assign to them such proportionate interest in the remuneration of lands or the avails thereof, as he may decide or agree upon, or he may assign his rights, privileges and remunerations under the contract with the State, to any association organized according to the laws of this or any other State, and upon due notice to the board of commissioners and Governor, they shall be made parties to the obligations and endowments of the contract, and be authorized upon such assignment and notice to hold and sell lands, and improve and use the same as they may see fit and desirable, to the same extent that the contractor might individually have done; but in no case shall himself or his sureties be eased or exempted from their liabilities to forfeitures and for non-fulfillment of the contracts, as before specified, in failure or inadequacy of additional security offered by the assignors: *Provided*, It shall not be lawful for said company to use their funds or any part thereof, in any banking or brokerage, or in buying or selling bank notes or bills of exchange, or in any other business whatever, except that especially provided for by this act.

Mr. Johnson offered the following, to stand as a new section:

Sec. —. It shall be the duty of the commissioners to publish in the daily papers of Detroit, immediately after awarding the contract for said canal, all the bids and proposals, in full, and by whom made, for said canal.

But the same was not adopted, the chair voting in the negative, as follows:

YEAS:

Mr. Arzeno,
Curtenius,
Fralick,
Gardner,
Goodrich,

Mr. Harris,
Hickok,
Johnson,
Moore,
McNaughton,

Mr. Paddock,
Russell,
Snow,
Twombly,
Wright,

15

NAYS:

Mr. Clarke,
Dickey,
Gould,

Mr. Harrington,
Hixson,
Kent,

Mr. McCauley,
Newberry,
Pierce,

Griswold,
Hall,

Leonard,
Lyon,

Smith,
Stowell,

15

Mr. McNaughton moved to lay the bill on the table.

Lost.

On motion of Mr. Gould,

The bill was ordered engrossed for a third reading.

On motion of Mr. Fralick,

A bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Clarke,

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver and other ores,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Griswold,

A bill relative to the deeds of married women,

Was taken from the table and referred to committee of the whole.

Also, the two bills to amend the charter of the city of Detroit.

Mr. Arzeno, pursuant to notice, leave being granted, introduced

A bill to provide for the exemption of personal property from sale on execution, or other final process of any court, issued for the collection of any debt contracted since the adoption of the revised constitution.

The same was read twice and referred to the judiciary committee.

On motion of Mr. Stowell,

Resolved, That the Attorney General report his opinion to this Senate, of the constitutionality of the provisions of the Senate bill No. 35, prohibiting the manufacture of intoxicating beverages and the traffic therein.

On motion,

The Senate adjourned.

Lansing, January 25, 1853.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of preceding day read, corrected and approved.

PETITIONS.

By Mr. Hickok : of sundry citizens of Eaton county, in favor of the Maine law.

Laid on the table.

Mr. Hall : memorial of the President of the University of Michigan.

Laid on the table and ordered printed.

Mr. Arzoo : of S. C. Goodale, in favor of the Maine law.

Laid on the table.

Mr. Wright: of James Wilkins and others for a law changing the time of paying interest on primary school land.

Referred to committee on education.

Mr. Griswold : of Mason Palmer and 850 others, for amendments to the charter of the city of Detroit.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Gould, from the judiciary committee, reported

A bill to amend section 91 of chapter 20 of the revised statutes ; and

A bill to amend section 25 of chapter 85 of the revised statutes of 1846,

Which were severally read twice, laid on the table and ordered printed.

Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend sections 6, 13 and 15 of an act to incorporate the President, Directors and Company of the Farmers' & Merchants' Bank of Ann Arbor, with amendments,

In which the concurrence of the Senate was asked, and from which the committee ask to be discharged.

The report was accepted, the committee discharged and the bill as amended laid on the table and ordered printed.

Mr. Snow, from the committee on finance, reported back

House bill to provide for a sinking fund;

Recommended its passage, and asked to be discharged.

The report was accepted, the committee discharged, and the bill referred to committee of the whole.

Mr. Griswold, from the judiciary committee, reported

A bill making additional appropriations for certain State officers for the years 1853 and 1854,

Which was read twice, and referred to committee on finance.

Mr. Gould, from the judiciary committee, reported back

A bill to authorize the Board of Education and the trustees of the Michigan Asylums to appropriate lands to open roads across certain asylum and normal school lands,

Accompanied by a written report, adverse to the passage of the bill.

The report was accepted, the committee discharged, the report laid on the table and ordered printed.

The question being on ordering the bill to a third reading, the same did not prevail.

The bill was then laid on the table.

Mr. Moore, from the committee on education, to whom was referred

A bill to establish an Agricultural School,

Reported back the bill without amendment, recommended the consideration of the same to the Senate, and asked to be discharged from the same.

The report was accepted, the committee discharged, the bill laid on the table and ordered printed.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 24, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

1. A bill to provide for filing certain reports in the Auditor General's Office, and for other purposes;

2. A bill to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking, &c.;

3. A bill relative to bonds deposited by banks, in the Treasury of this State;

4. A bill to change the name of the township of Northampton, in the county of Saginaw;

5. A bill to amend chapter 15 of the revised statutes of 1846;

6. A bill to organize the county of Cheboygan;

7. A bill to amend section 24 of chapter 16 of the revised statutes of 1846, entitled of the powers and duties of townships and elections, and duties of township officers;

8. A bill to provide for assessing property at its true value, and for levying and collecting taxes thereon;

9. A bill to provide for taking the census and statistics of this State;

All of which the House have passed, each by a two-thirds vote of all the members elected, and have ordered by a like vote, that the 5th, 6th, 7th and 8th named, shall take effect immediately, and in all which the concurrence of the Senate is respectfully asked.

Also to return to the Senate, the bill to incorporate the city of Adrian, which the House have passed with amendments, by a two-thirds vote of all elected, and by a like vote ordered that it take effect immediately, in which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,

Clerk of the House of Rep's.

The House bills were severally read twice and referred as follows:

The 1st, 3d and 8th named to the committee on finance;

The 2d named to the committee on incorporations;

The 4th and 6th named to the committee on division of towns and counties;

The 5th and 7th named to the judiciary committee;

The 9th named to the committee on State affairs.

The bill to incorporate the city of Adrian was laid on the table.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 24, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate :

Joint resolution requiring the trustees of the Michigan Central College, at Spring Arbor, to report as required by the 5th section of the act of incorporation,

And to respectfully inform the Senate that the House have concurred therein by a majority vote.

Also to transmit

A concurrent resolution relative to a survey of Stannard's Rock, in Lake Superior, and

A concurrent resolution of thanks to Dr. Tappan, President of the University of Michigan, for his address on Friday evening last,

Which the House have adopted, and respectfully ask the concurrence of the Senate therein.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolution was ordered enrolled.

The first named concurrent resolution was referred to the committee on mines and minerals, and the second named was adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Snow,

A bill to incorporate the city of Adrian,

Was taken from the table.

The following House amendments thereto:

1st. Insert after the word "effect," in the 14th line of section 5, the words "such justices shall be justices of the peace of said city, and hold their offices during the term for which they were elected."

2d. Strike out in 2d line of section 30, the words "either by posting or," and insert after the word "city," the words "or by posting in at least three public places in said city."

3d. Section 1, 9th line, strike out "detached," and insert "set off."

4th. Sec. 31. The city of Adrian for all purposes in regard to common schools, and school moneys, shall be deemed a township, and the recorder shall discharge all the duties, and be subject to all the liabilities of a township clerk; the city treasurer and school inspectors shall discharge the duties of such corresponding township officers, except the collection of taxes.

5th. Sec. 32. The mayor of said city shall represent the several wards in the board of supervisors, and shall be entitled to all the rights, privileges and powers of said board, and receive the same

pay as other supervisors of townships, while acting in and upon such board; and for that purpose the said ward supervisors shall furnish him with their assessment rolls, to be presented to said board of supervisors: such rolls, together with the accompanying certificates, after the action of said board thereon, shall be returned to the proper supervisor, who shall perform all the remaining duties of such supervisor.

6th. Sec. 33. All acts incorporating the village of Adrian, and all amendatory thereto, are hereby repealed.

Were concurred in in gross by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Clarke,	Hickok,	Paddock,	
Curtanius,	Hixson,	Pierce,	
Fralick,	Johnson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Stowell,	
Griswold,	Moore,	Twombly,	
Hall,	McCauley,	Wright,	
Harrington,	McNaughton,		29

NAYS:

0

And by a like vote the same was ordered to take effect immediately, and the bill as amended ordered enrolled.

On motion of Mr. Gould,

Resolved, That the Auditor General be and he is hereby requested to report the amount due to and from the several counties of this State, on the first day of July last.

On motion of Mr. Griswold,

The bill to provide for the construction of a ship canal around the Falls of St. Mary's,

Was taken from the table.

Mr. Dickey moved to re-commit the bill to the committee, with instructions to strike out "five," in line 2 of section 2, and insert "three." Also, to fill the blank in section 9, with the word "three."

But the same did not prevail, as follows:

YEAS:

Mr. Dickey,	Mr. McNaughton,	Mr. Paddock,	
Moore,	Newberry,	Pierce,	6

NAYS :

Mr. Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,

Mr. McCauley,
Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

23

Mr. McNaughton then moved to re-commit the bill to the committee, with instructions to add the following, to stand as a new section :

Should the commissioners under the provision of this act appointed, after due advertisement for proposals, be unable to contract for the building of said canal, in conformity with the act of Congress making the appropriation, subject, however in everything except as to size, to the provisions of this act.

But the motion did not prevail, as follows :

YEAS :

Mr. Arzeno,
Clarke,
Dickey,
Goodrich,
Hall,

Mr. Harrington,
Kent,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Wright,

14

NAYS:

Mr. Curtenius,
Fralick,
Gardner,
Gould,
Griswold,
Harris,

Mr. Hickok,
Hixson,
Johnson,
Leonard,
Lyon,

Mr. Russell,
Snow,
Smith,
Stowell,
Twombly,

16

The bill having been engrossed, was ordered to be read a third time, was so read and passed, by the following vote :

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

28

NAYS:

Mr. Dickey, Mr. McNaughton, 2

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. Lyon gave notice that he would on some future day ask leave to introduce

A bill to amend an act entitled an act to incorporate the Kalamazoo & Grand River Railroad Company, approved March 17, 1847.

On motion of Mr. Lyon,

Resolved, That the Seenate bill, No. 35, prohibiting the manufacture of intoxicating beverages and the trafic therein, be and the same is hereby submitted to the judges of the supreme court of this State, now about to convene in this village, with a request that they will at their earliest convenience, give us their opinion in writing, touching the constitutionality of the said bill should the same become a law.

On motion of Mr. Harrington,

A bill to amend the charter of the Detroit, Romeo, and Port Huron Railroad Company,

Was taken from the table.

The amendment made by the committee on incorporations thereto, was concurred in; when

Mr. Hickok moved to strike out all after the enacting clause, and insert Senate bill No. 9.

Pending which,

On motion,

The Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

The Senate resumed the consideration of the Detroit, Romeo and Port Huron Railroad bill.

The question being upon the motion of Senator Hickok to strike out all after the enacting clause and insert "a bill to provide for the

formation of railroad corporations" was taken, and decided in the affirmative by yeas and nays as follows :

YEAS:

Mr. Arzeno,	Mr. Leonard,	Mr. Paddock,
Gardner,	Moore,	Pierce,
Hickok,	McNaughton,	Snow,
Johnson,	Newberry,	Twombly
Kent,		

13

NAYS:

Mr. Fralick,	Mr. Harrington,	Mr. McCauley,
Goodrich,	Harris,	Russell,
Hall,	Lyon,	Smith,

9

Mr. Smith moved a reconsideration of the last vote, which motion,

On motion of Mr. Goodrich,

Was laid on the table.

Mr. Harrington gave notice that he would at some future day ask leave to introduce

A bill to authorize the several towns of this State to elect inspectors of lumber.

Mr. Smith gave notice that he would at some future day ask leave to introduce

A bill to provide for the incorporation of a Peninsular Medical and Scientific Society.

On motion of Mr. Griswold,

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Company,

Was taken from the table, the same ordered to be read a third time, was so read, and passed by a two-thirds vote of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Paddock,
Curtenius,	Hickok,	Pierce,
Dickey,	Johnson,	Russell,
Fralick,	Kent,	Snow,
Gardner,	Leonard,	Smith,
Gould,	Lyon,	Stowell,
Griswold,	McCauley,	Twombly,
Hall,	McNaughton,	Wright,
Harrington,	Newberry,	

26.

NAYS:

0

On motion of Mr. Leonard,

A bill to amend an act entitled an act to authorize the Commissioner of the State Land Office to sell certain primary school lands,

Was taken from the table and referred to committee on public lands.

On motion of Mr. Griswold,

A bill to provide for the consolidation of the Detroit and Erin, and Erin and Mt. Clemens plank road companies; and

A bill to amend section 3 of an act entitled an act to incorporate the City of Detroit Gas Company, approved March 14, 1849,

Were taken from the table and referred to committee of the whole.

On motion of Mr. Snow,

A bill to amend section 6 of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan, and substitute therefor, being

A bill to amend sections 6 and 8 of an act to continue for a limited time the charter of the Farmers' and Mechanics' Bank of Michigan,

Were taken from the table and referred to committee of the whole.

Also,

A bill to amend sections 13 and 15 of an act to incorporate the President, Directors and Company of the Peninsular Bank, and substitute therefor, being

A bill to amend section 13 of an act to incorporate the President, Directors and Company of the Peninsular Bank,

Were taken from the table and referred to the committee of the whole.

On motion of Mr. Goodrich,

The motion to reconsider the vote by which the bill to provide for the formation of railroad corporations was adopted, as a substitute for all after the enacting clause of the Detroit, Romeo and Port Huron railroad bill, was taken from the table, by the following vote:

YEAS:

Mr. Arzeno,
Dickey,
Fralick,
Gardner,
Goodrich,

Mr. Hall,
Harrington,
Harris,
Hickok,
Kent,

Mr. McCauley,
Newberry,
Russell,
Smith,
Stowell,

Gould,
Griswold,

Leonard,
Lyon,

Twombly,
Wright, 21

NAYS.

Mr. Curtenius,
Hixon,
Johnson,

Mr. Moore,
McNaughton,
Paddock,

Mr. Pierce,
Snow,, 8

The vote was then reconsidered as follows:

YEAS :

Mr. Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Kent,
Leonard,
Lyon,
McCauley,

Mr. Newberry,
Russell,
Smith,
Stowell,
Twombly,
Wright,

19

NAYS :

Mr. Arzeno,
Gardner,
Hickok,
Hixson,

Mr. Johnson,
Moore,
McNaughton,

Mr. Paddock,
Pierce,
Snow, 10

The question recurring upon the adoption of the substitute, the same was not adopted.

Mr. Dickey offered the following amendment:

Add to section 6; "*Provided*, That nothing in this act, or the act to which this is amendatory, shall be so construed as in any way to grant to said company any banking privileges."

Which was adopted.

The bill was then ordered to a third reading; was so read, when Mr. Goodrich moved to lay the bill on the table.

Lost.

Mr. Dickey moved a call of the Senate,

Which was ordered.

The roll was called, and Senator Clarke reported absent without leave.

On motion,

The Sergeant-at-arms was directed to procure the attendance of the absentee; when,

On motion of Mr. Dickey,

All further proceedings under the call were dispensed with; and,

On motion of Mr. Smith,

The bill was laid on the table.

On motion of Mr. Griswold,

A bill to provide for the appointment of an additional circuit court commissioner for the county of Wayne,

Was taken from the table and committed to the judiciary committee, with instructions.

On motion of Mr. Gould,

A bill supplementary to an act entitled an act to define the limits, jurisdiction and powers of the circuit courts, approved April 8th, 1851; and

A bill to provide for the removal of causes in civil cases from justices' courts to the circuit courts by certiorari, and to repeal sections 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134 and 135 of an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841,

Were taken from the table and referred to committee of the whole.

The President announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 25, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A joint resolution authorizing the Superintendent of Public Instruction to cause to be published and distributed, copies of his annual report of the year 1852,

Which the House have passed, and respectfully ask the concurrence of the Senate therein.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolution was read twice, and referred to the committee on education.

On motion,

The Senate went into committee of the whole on the general order,

Senator Leonard in the chair.

After some time spent thereon, the committee rose and through their chairman reported back

House bill providing for procuring a fire engine and suitable apparatus for extinguishing fires at the State capitol ;

With an amendment in which the concurrence of the Senate was asked; also,

A bill to amend the charter of the Pontiac and Genesee Railroad Company,

Without amendment, and from the further consideration of which the committee asked to be discharged.

The report was accepted and the committee discharged.

The amendment to the first named bill, being to strike out all after the enacting clause, was concurred in, as follows:

YEAS :

Mr. Arzeno,	Mr. Griswold,	Mr. Paddock,	
Clarke,	Hall,	Pierce,	
Curtenius,	Hickok,	Snow,	
Dickey,	Hixson,	Twombly,	
Fralick,	Johnson,	Wright,	
Gardner,	Newberry,		17

NAYS :

Mr. Gould,	Mr. Kent,	Mr. McCauley,	
Harrington,	Leonard,	Russell,	
Harris,	Lyon,	Smith,	9

Mr. Gould moved a reconsideration of the last vote; but the motion did not prevail.

On motion of Mr. Snow,

The enacting clause was indefinitely postponed.

When, on motion,

The Senate adjourned.

Lansing, January 26, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Chatfield.

Roll called ; a quorum present.

The reading of the journal of the preceding day was dispensed with.

PETITIONS PRESENTED.

By Mr. Newberry : of John P. Richardson and 47 others of Oakland county, asking the Legislature to establish a brief form of deeds and make the office of judge of probate a salaried office.

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. Snow, from the committee on finance, reported back

A bill making additional appropriations for certain State officers for the years 1853-4,

Adverse to its passage, and asked to be discharged.

The report was accepted, the committee discharged, the bill laid on the table ; also,

House bill relative to the bonds deposited by banks in the treasury of this State, recommending its passage, and ask to be discharged.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed, by a two-thirds vote of all the Senators elect, as follows :

YEAS :

Mr. Clarke,	Mr. Hickok,	Mr. Paddock,	
Curtenius,	Hixson,	Pierce,	
Fralick,	Johnson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Stevens,	
Griswold,	Moore,	Stowell,	
Hall,	McCauley,	Twombly,	
Harrington,	Newberry,	Wright,	27

NAYS :

0

Mr. McCauley submitted the following report :

The committee on towns and counties, to whom was referred

House bill No. 25, relative to changing the name of the township of Northampton, in the county of Saginaw, to that of Chissening, have had the same under consideration, and the committee instruct me to report the same back to the Senate without amendment, and recommend its passage.

The committee ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill ordered to be read a third time, was so read and passed by the following two-thirds vote of all the Senators elect:

YEAS :

Mr. Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

29

NAYS :

0

Mr. Goodrich, from the committee on incorporations, reported back

House bill to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking, &c.,

With an amendment in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted and the committee discharged.

The question being on the amendment, as follows:

Insert in section 9, line 3, after "case," the words "after due notice."

Mr. Griswold moved to amend, by adding, "or knowledge thereof;" which prevailed, and the amendment as amended, was concurred in.

On motion,

The 2d line of section 9, as printed, was stricken out.

The bill was then ordered to be read a third time, was so read, and lost on its passage, two-thirds of all the Senators elect not voting in the affirmative, as follows:

YEAS.

Mr. Clarke,
Curtenius,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Hickok,
Hixson,
Johnson,
Leonard,
Lyon,
McCauley,
Newberry,

Mr. Pierce,
Russell,
Snow,
Smith,
Stevens,
Twombly,
Wright,

21

NAYS.

Mr. Beeson,
Harrington,
Harris,

Mr. Kent,
Moore,
McNaughton,

Mr. Paddock,
Stowell,

8

On motion,

The last vote was reconsidered. Also the vote ordering the bill to a third reading.

The last section, declaring the bill to take immediate effect, was stricken out.

The bill was then ordered to be read a third time, was so read, and passed by the following majority vote, of all the Senators elect:

YEAS.

Mr. Arzeno,	Mr. Hall,	Mr. McCauley,
Beeson,	Harrington,	Newberry,
Clarke,	Harris,	Paddock,
Curtenius,	Hickok,	Pierce,
Dickey,	Hixson,	Russell,
Fralick,	Johnson,	Snow,
Gardner,	Kent,	Smith,
Goodrich,	Leonard,	Stevens,
Gould,	Lyon,	Twombly,
Griswold,	Moore,	Wright,

30

NAYS :

Mr. Stowell,

1

Mr. Gould moved that the bill take immediate effect.

But the same did not prevail, two-thirds of all elect not voting in the affirmative, as follows:

YEAS:

Mr. Arzeno,	Mr. Griswold,	Mr. Leonard,
Clarke,	Hall,	Lyon,
Curtenius,	Harrington,	McCauley,
Fralick,	Harris,	Smith,
Gardner,	Hickok,	Stevens,
Goodrich,	Kent,	Wright,
Gould,		

19

NAYS :

Mr. Beeson,	Mr. Moore,	Mr. Russell,
Dickey,	McNaughton,	Stowell,
Hixson,	Newberry,	Twombly,
Johnson,	Pierce,	

11

Mr. McCauley submitted the following report:

The committee on towns and counties, to whom was referred House bill No. 22, relative to organizing the county of Sheboygan, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment and recom-

send its passage, and the committee ask to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill ordered to be read a third time, was so read and passed by a majority of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Paddock,	
Clarke,	Hickok,	Pierce,	
Curtenius,	Hixson,	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	McNaughton,		32

NAYS:

0

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. Clarke, from the committee on mines and minerals, reported back House concurrent resolution relative to a survey of Stannard's Rock, in Lake Superior,

Recommending its passage and asked to be discharged.

The report was accepted and the committee discharged.

The resolution was ordered to be read a third time, was so read and adopted by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. McNaughton,	
Beeson,	Harris,	Newberry,	
Clarke,	Hickok,	Paddock,	
Curtenius,	Hixson,	Pierce,	
Dickey,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,			31

NAYS:

0

Mr. Gould, from the judiciary committee, reported back

House bill to amend section 24 of chapter 15 of the revised statutes of 1846, entitled "Of the powers and duties of townships and elections, and the duties of township officers,

Recommending its passage and ask to be discharged.

The report was accepted and the committee discharged.

The bill ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,	
Beeson,	Harrington,	Paddock,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hickok,	Russell,	
Dickey,	Hixson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	30

NAYS:

0

And by a vote of two-thirds of all the Senators elect, the same was ordered to take immediate effect.

Also, reported back House bill to amend chapter 15 of the revised statutes of 1846, without amendment, recommended its passage and asked to be discharged.

The report was accepted and the committee discharged, when

Mr. Griswold moved to amend by striking out the words "by dropping," in the 9th line.

Which prevailed.

The bill as amended was ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hickok,	Pierce,
Curtenius,	Hixson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Twombly,

Gould,
Griswold,

McCauley,
McNaughton,

Wright,

29

NAYS:

Mr. Stowell,

1

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. Snow submitted the following report :

The committee on finance, to whom was referred House bill to provide for filing certain reports in the Auditor General's office, and for other purposes, have had the same under consideration and have instructed me to report the same back to the Senate without amendment and recommend its passage and ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Stowell moved to strike out "ten," in 5th line of section 2 and insert "four;" but the same did not prevail.

The bill was then ordered to be read a third time, was so read and passed by the following vote, being two-thirds of all elect :

YEAS:

Mr. Arzeno,
Beeson
Curtenius,
Dickey,
Fralick.
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harris,
Hickok,
Hixson,
Kent.
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Twombly,
Wright,

26

NAYS:

Mr. McNaughton,

Mr. Pierce,

Mr. Stowell,

3

Also the following :

The committee on finance, to whom was referred

House bill to provide for assessing property at its true value, and for leveying and collecting taxes thereon,

Have had the same under consideration and have instructed me to report the same back to the Senate without amendment, recommend its passage and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to committee of the whole.

Mr. Snow, from the committee on incorporations, by leave from the committee, reported back

A bill to provide for the formation of Railroad corporations, without any recommendation, and asked to be discharged.

The report was accepted and the committee discharged, and the bill referred to the committee of the whole.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act ceding jurisdiction to the United States over divers tracts of land for light houses; also,

A joint resolution requiring the Trustees of the Michigan Central College at Spring Arbor, to report as required by the 5th section of the act of incorporation.

And the same were signed and presented to the Governor for his approval.

Mr. Griswold, from the judiciary committee, to whom was re-committed

A bill to provide for an additional circuit court commissioner for the county of Wayne, with instructions to amend the same by inserting the following as section 1:

Sec. 1. *The People of the State of Michigan enact*, That the Governor may, by and with the advice and consent of the Senate, appoint an additional circuit court commissioner for the county of Wayne, who shall hold his office until the first day of January, A. D. one thousand eight hundred and fifty-five, and shall be authorized and required to discharge all the legal duties of circuit court commissioner, and shall be liable to all the provisions of law touching said office,

Reported the same back amended pursuant to instructions, and asked to be discharged.

The report was accepted, the committee discharged, and the amendment concurred in.

Mr. Dickey moved to re-commit the bill to the judiciary committee, with instructions to so amend section 1 of said act, as to provide for the appointment of an additional circuit judge for the county of Wayne.

But the motion did not prevail, as follows:

YEAS.

Mr. Beeson,
Curtenius,

Mr. Dickey,
Hixson,

Mr. Kent,
Pierce,

6

NAYS.

Mr. Arzeno,
Clarke,
Fralick,
Gardner,
Goodrich,
Griswold,
Hall,
Harris,

Mr. Hickok,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,
Newberry,
Paddock,

Mr. Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

23

Mr. Pierce moved to re-commit the bill to the same committee, with instructions to substitute the following for the bill:

A bill to amend an act entitled an act to amend sections 1, 2 and 3, of chapter 95 of the revised statutes of 1846.

Section 1. *The People of the State of Michigan enact*, That section 1 of the above recited act, as amended, shall be stricken out, and a new section to be substituted in its place, to read as follows, to-wit:

Sec. 1. There shall be elected at the general election to be held in the year 1852, and every two years thereafter, two circuit court commissioners, in the county of Wayne, and one circuit court commissioner in each of the other organized counties of this State, who shall enter upon their official duties on the first day of January succeeding their election, who shall hold their offices two years, and be vested with judicial powers, not exceeding those of a judge of the circuit court at chambers.

But the motion did not prevail.

The bill was then ordered to be read a third time, was so read and lost on its passage, two-thirds of all elect not voting therefor, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Goodrich,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Johnson,
Leonard,
Lyon,
McCauley,

Mr. Russell,
Snow,
Smith,
Stevens,
Stowell,
Wright,

18

NAYS :

Mr. Beeson, Curtenius, Dickey, Gardner,	Mr. Hixson, Kent, Moore, McNaughton,	Mr. Newberry, Paddock, Pierce, Twombly,	12
--------------------------------------------------	-----------------------------------------------	--------------------------------------------------	----

On motion,

The last vote, and the vote ordering the bill to a third reading, were reconsidered.

On motion,

The last section was stricken out, the bill ordered to be read a 3d time, was so read and passed by the following majority vote :

YEAS :

Mr. Arzeno, Clarke, Goodrich, Gould, Griswold, Hall, Harrington,	Mr. Harris, Hickok, Johnson, Leonard, Lyon, Moore, McCauley,	Mr. Russell, Snow, Smith, Stevens, Stowell, Wright,	20
------------------------------------------------------------------------------------	--------------------------------------------------------------------------------	--------------------------------------------------------------------	----

NAYS :

Mr. Beeson, Curtenius, Dickey, Fralick,	Mr. Gardner, Hixson, Kent, McNaughton,	Mr. Newberry, Paddock, Pierce, Twombly,	12
--------------------------------------------------	-------------------------------------------------	--------------------------------------------------	----

Mr. Griswold moved that the bill take immediate effect, but was lost, two-thirds not voting therefor, as follows :

YEAS :

Mr. Arzeno, Clarke, Goodrich, Gould, Griswold, Hall, Harrington,	Mr. Harris, Hickok, Johnson, Leonard, Lyon, McCauley, Russell,	Mr. Snow, Smith, Stevens, Stowell, Twombly, Wright,	20
------------------------------------------------------------------------------------	----------------------------------------------------------------------------------	--------------------------------------------------------------------	----

NAYS :

Mr. Beeson, Curtenius, Dickey, Fralick,	Mr. Gardner, Hixson, Kent, Moore,	Mr. McNaughton, Newberry, Paddock, Pierce,	12
--------------------------------------------------	--------------------------------------------	-----------------------------------------------------	----

Mr. Goodrich, from the committee on incorporations, reported

A bill to incorporate the village of Flint

The same was twice read, laid on the table and ordered printed.

Mr. Griswold, from the judiciary committee, reported

A bill to amend section 7 chapter 72 of the revised statutes of 1846;

Which was read twice, laid on the table and ordered printed.

Mr. Stowell, from the committee on State affairs, reported

Joint resolution relative to certain property in Detroit;

Which was read twice and laid on the table.

Also, reported back

House bill to provide for taking the census and statistics of this State,

With an amendment, in which the concurrence of the Senate was asked, and from the further consideration of which the committee ask to be discharged.

The report was accepted and the committee discharged and the bill laid on the table.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 25, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to organize the county of Emmett;

A bill to organize the township of Drummond;

A bill to provide for the disposition of prisoners apprehended in the county of Montcalm, and

A bill to amend section six of chapter 11 title 2 of the revised statutes of 1846;

All of which the House have passed, each by a two-thirds vote of all the members elected, and have ordered by a like vote that the three first named shall take effect immediately, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bills were severally read twice and referred as follows:

The first and second named to the committee on the division of towns and counties,

And the two last named were referred to the committee on State affairs.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 26, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to provide for taxing foreign insurance companies,

And to respectfully inform the Senate that the House have non-concurred therein.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fralick gave notice that he would at some future day ask leave to introduce

A bill to repeal section 57 of chapter 90 of the revised statutes of 1846.

On motion of Mr. Fralick,

The vote by which a resolution offered yesterday by Mr. Lyon was adopted, referring the Maine law bill to the supreme court was reconsidered; when,

On motion,

The resolution was laid on the table.

On motion of Mr. Goodrich,

A bill to amend an act to incorporate the president, directors and company of the Farmers' and Merchants' Bank of Ann Arbor,

Was taken from the table and referred to the committee of the whole

On motion of Mr. Griswold,

A bill to authorize the Commissioner of the State Land Office to lease certain State property in the city of Detroit,

Was taken from the table.

On motion of Mr. Griswold,

The following amendment was adopted thereto:

Add to section 1: "Provided the State may sell the premises so leased, at any time subject to the equitable rights of said Ladue."

The same was ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzene,	Mr. Hall,	Mr. Newberry,	
Beeson,	Harrington,	Paddock,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hickok,	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	T'wombly,	
Gould,	Moore,	Wright,	
Griswold,	McCauley,		29

NAYS:

Mr. Hixson,	Mr. Stowell,	2
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And by a vote of two-thirds of all the Senators elect was ordered to take immediate effect.

Mr. Lyon, pursuant to notice, leave being granted, introduced

A bill to amend sections 1, 3, 4 and 5, of an act entitled an act to incorporate the Kalamazoo and Grand River Railroad Company, approved March 17, 1847.

The same was read twice, laid on the table and ordered printed.

On motion,

The Senate adjourned until 2 o'clock, P. M.

—

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

On motion of Mr. McCauley,

A bill in aid of the Michigan Asylums,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Leonard,

A bill making an appropriation to aid the Michigan State Agricultural Society, and to provide for publishing the annual reports of said society,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Twombly,

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Snow,

Joint resolution relative to the Ypsilanti and Tecumseh Railroad,

Was taken from the table.

Mr. Fralick offered the following amendment thereto:

"*Provided*, No action the said board may take in and under this act shall be binding on the State, unless the same be submitted to and ratified by the Legislature next in session after such action."

But the same did not prevail, as follows:

YEAS:

Mr. Beeson,	Mr. Hickok,	Mr. McNaughton,	
Fralick,	Hixson,	Newberry,	
Harrington,	Leonard,	Paddock,	
Harris,	Moore,	Pierce,	12

NAYS:

Mr. Arzeno,	Mr. Gould,	Mr. Russell,	
Clarke,	Griswold,	Snow,	
Curtenius,	Hall,	Smith,	
Dickey,	Johnson,	Stevens,	
Gardner,	Kent,	Stowe l,	
Goodrich,	McCauley,	Wright,	18

Mr. McNaughton moved to lay the joint resolution on the table.

But the motion did not prevail, as follows:

YEAS:

Mr. Beeson,	Mr. Hickok,	Mr. McNaughton,	
Fralick,	Kent,	Newberry,	
Harrington,	Moore,	Pierce,	9

NAYS:

Mr. Arzeno,	Mr. Hall,	Mr. Russell,	
Clarke,	Harris,	Snow,	
Curtenius,	Hixson,	Smith,	
Dickey,	Johnson,	Stevens,	
Gardner,	Leonard,	Stowell,	
Goodrich,	McCauley,	Wright,	
Gould,	Paddock,		20

On motion of Mr. McNaughton,

The following amendment was adopted thereto :

Resolved, That this resolution or any action under it shall in no case be construed as in any way recognizing any right of said company, or any parties claiming under it, to construct, own stock, or run any railroad, by virtue of any chartered rights heretofore granted.

The joint resolution was ordered to be read a third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno,	Mr. Griswold,	Mr. Paddock,	
Clarke,	Hall,	Pierce,	
Curtenius,	Harrington,	Russell,	
Dickey,	Harris,	Snow,	
Gardner,	Kent,	Smith,	
Goodrich,	Leonard,	Stevens,	
Gould,	McCauley,	Stowell,	21

NAYS :

Mr. Beeson,	Mr. Hickok,	Mr. Newberry,	
Fralick,	McNaughton,		5

GENERAL ORDER.

The Senate went into committee of the whole on the general order, Senator Harris in the chair.

After some time spent thereon, the committee rose and through their chairman reported progress, and asked and obtained leave to sit again.

Mr. Griswold, by consent, gave notice that he should on some future day ask leave to introduce

A bill to authorize the Pontiac and Waterford plank road company to erect a toll gate.

On motion of Mr. Griswold,

Leave of absence was granted to Mr. Twombly for an indefinite period, on account of sickness.

On motion,

The Senate adjourned.

Lansing, January 27, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

The journal of preceding day was read and approved.

PETITIONS PRESENTED.

By Mr. McCauley: of C. L. M. Fisk and 64 others, not legal voters, of the village of Brighton, asking for the passage of the Maine law.

Laid on the table.

By Mr. Fralick: of 76 legal voters, of Plymouth, for same.

Laid on the table.

By Mr. Moore: of sundry persons in favor of an appropriation in aid of the Michigan State Agricultural Society.

Laid on the table.

By Mr. Dickey: of O. C. Comstock, Jr., L. B. Sheppard and others, of Calhoun county, for the re-purchase of the Central and Southern railroads, under the provisions contained in their charters.

Referred to the committee on State affairs.

Also: of sundry persons of Calhoun county, in favor of the Maine liquor law.

Laid on the table.

By Mr. Stowell: of L. L. Jones and 482 others, of the city of Detroit, for the establishment of a chair of Homeopathy in the medical department of our State University, and to direct the Regents to appoint a professor thereto.

Referred to committee on education.

Also: of all the collectors of the city of Detroit, for an extension of time for the collection of taxes in said city.

Referred to committee on finance.

By Mr. Snow: remonstrance of Warren Brewster and 16 others, tax-payers of fractional school district No. 2, against dividing their school district.

Referred to committee on education.

By Mr. Russell: of A. Williams and 34 others, for the distribution of the annual reports of the State Agricultural Society, and other purposes.

Referred to the committee on agriculture.

REPORTS.

Mr. Harrington, from the committee on public lands, reported back

A bill to amend sections 1 and 2 of an act authorizing the Commissioner of the State Land Office to sell certain primary school lands,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read, and passed by the following majority vote, of all elect:

YEAS.

Mr. Clarke,	Mr. Harris,	Mr. McNaughton,
Curtenius,	Hickok,	Paddock,
Fralick,	Johnson,	Russell,
Goodrich,	Kent,	Smith,
Gould,	Leonard,	Stevens,
Griswold,	Lyon,	Stowell,
Hall,	Moore,	Twombly,
Harrington,	McCauley,	Wright,
		24

NAYS.

Mr. Arzeno,	Mr. Hixson,	Mr. Pierce,
Beeson,		
		4

Mr. McCauley submitted the following :

The committee on towns and counties, to whom was referred

House bill No. 34, relative to the organization of the county of Emmett, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, recommend that it pass, and ask to be discharged.

The report was accepted, the committee discharged, the bill ordered to be read the third time, was so read, and passed by a two-thirds vote of all the Senators elect, as follows :

YEAS :

Mr. Arzeno,	Mr. Hall,	Mr. McCauley,
Beeson,	Harrington,	Newberry,
Clarke,	Harris,	Pierce,
Curtenius,	Hickok,	Snow,
Fralick,	Hixson,	Smith,
Gardner,	Johnson,	Stevens,
Goodrich,	Kent,	Stowell,
Gould,	Leonard,	Twombly,
Griswold,	Moore,	Wright,
		27

NAYS :

Mr. Paddock,	Mr. Russell,	2
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And by a like vote the same was ordered to take immediate effect
Also the following :

The committee on towns and counties, to whom was referred House bill No. 38, to organize the township of Drummond, in the upper part of the Lower Peninsula, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, recommend its passage, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed by a two-thirds vote of all elect, as follows :

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. McNaughton,	
Beeson,	Harris,	Newberry,	
Clarke,	Hixson,	Paddock,	
Curtenius,	Johnson,	Pierce,	
Fralick,	Kent,	Russell,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,			28

NAYS :

0

And by a like vote the same was ordered to take immediate effect.

Mr. Stowell, from committee on State affairs, reported back

House bill to amend section 6 of chapter 11, title 2 of the revised statutes of 1846,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill ordered to be read a third time, was so read and passed by the following majority vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McCauley,	
Clarke,	Harrington,	Russell,	
Curtenius,	Harris,	Stevens,	
Fralick,	Hickok,	Stowell,	
Goodrich,	Johnson,	Twombly,	
Gould,	Leonard,	Wright,	
Griswold,	Lyon,		20

NAYS:

Mr. Beeson,
Dickey,
Gardner,
Hixson,

Mr. Kent,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Snow,
Smith,

12

Mr. Gould, from the committee on judiciary, reported

A bill to provide for the exemption of personal property from sale on execution, &c.,

Recommending its passage and ask to be discharged.

The report was accepted, the committee discharged, the bill laid on the table and ordered printed.

Mr. Griswold, from same committee, reported

A bill to amend section 2 of an act to amend an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, approved April 1, 1848; approved April 2, 1850.

The same was read twice, laid on the table and ordered printed.

Mr. Curtenius, from the committee on militia, reported back the petition of F. Hart, with a written report.

The same was laid on the table, and the report laid on the table and ordered printed.

MESSAGES.

The President announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, January 26, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill directing the Auditor General to credit the county of Monroe with certain delinquent taxes, and

Joint resolution relative to the public domain;

Both which the House have passed by a two-thirds vote; the last with amendments, in which the concurrence of the Senate is respectfully asked.

Also, to transmit

A bill to amend section 49 of chapter 154 of the revised statutes of 1846, and

A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes.

Both which the House have passed by a two-thirds vote of all the members elected, and have ordered by a like vote that the last named take effect immediately, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The first named bill was ordered enrolled.

The first House amendment to the joint resolution was concurred in, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. McNaughton,	
Clarke,	Hickok,	Newberry,	
Dickey,	Hixson,	Paddock,	
Fralick,	Johnson,	Pierce,	
Goodrich,	Kent,	Snow,	
Gould,	Leonard,	Smith,	
Griswold,	Lyon,	Stevens,	
Hall,	Moore,	Twombly,	
Harrington,	McCauley,	Wright,	27

NAYS:

0

The second House amendment was concurred in, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Beeson,	Harrington,	Newberry,	
Clarke,	Harris,	Paddock,	
Curtenius,	Hickok,	Pierce,	
Dickey,	Johnson,	Russell	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Wright,	
Griswold,			28

NAYS:

Mr. Hixson,	Mr. Stowell,	Mr. Twombly,	3
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House amendments: 1st, strike out in the 5th line, "be instructed."

2d, strike out in the 12th line, "three" and insert "five."

The joint resolution as amended was ordered enrolled.

The House bills were severally read twice, and referred as follows:

The first named to the judiciary committee.

The 2d named to the committee on mines and minerals.

Also the following :

HOUSE OF REPRESENTATIVES,
Lansing, January 27, 1853.

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

Joint resolution authorizing the Secretary of State to exchange a certain lot with the First Baptist Church in the village of Lansing,

Which the House have passed and respectfully ask the concurrence of the Senate therein.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The same was read twice and referred to the committee on State affairs.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Griswold,

Resolved, That the committee appointed to investigate the charges of alledged frauds in our State government, be requested to report to the Senate what progress, if any, has been made therein.

The rule being suspended, and leave granted,

Mr. Twombly introduced

A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien.

The same was read twice, and the rule being suspended, ~~was or-~~dered to be read a third time, was so read and passed by the following vote :

YEAS.

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyof,

Mr. Moore,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

NAYS :

Mr. Newberry, Mr. Paddock, Mr. Pierce, 3

And by a two-thirds vote of all the Senators elect, the same was ordered to take immediate effect.

On motion of Mr. Hickok,

Resolved, That 500 extra copies of the report of the committee on militia be printed for the use of the Senate.

On motion of Mr. Stowell,

A bill authorizing the Methodist Episcopal church of this State to hold certain property,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Griswold,

A bill to increase the capital stock of the Detroit Gas Company ;
and

Joint resolution authorizing the payment of certain lost bonds,

Were taken from the table and referred to the committee of the whole.

Mr. Harrington, pursuant to notice, leave being granted, introduced.

A bill to authorize the election of inspectors of Lumber.

The same was read twice; laid on the table and ordered printed.

On motion of Mr. Fralick,

The Port Huron Railroad bill was taken from the table.

Mr. Arzeno moved to strike out the 4th section.

Lost, as follows:

YEAS :

Mr. Arzeno,	Mr. Hixson,	Mr. Moore,	
Beeson,	Johnson,	McNaughton,	
Gardner,	Kent,	Snow,	
Hickok,	Leonard,	Stevens,	12

NAYS :

Mr. Clarke,	Mr. Hall,	Mr. Pierce,	
Curtenius,	Harrington,	Russell,	
Dickey,	Harris,	Smith,	
Fralick,	Lyon,	Stowell,	
Goodrich,	McCauley,	Twombly,	
Gould,	Newberry,	Wright,	
Griswold,	Paddock,		20

The bill was then ordered to be read a third time, so read, and lost on its passage, two-thirds of all elect not voting therefor, as follows:

YEAS:

Mr. Clarke, Curtenius, Dickey, Fralick, Goodrich, Gould, Griswold,	Mr. Hall, Harrington, Harris, Lyon, Moore, McCauley, Newberry,	Mr. Paddock, Pierce, Russell, Smith, Stowell, Twombly, Wright,	21
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NAYS:

Mr. Arzeno, Beeson, Gardner, Hickok,	Mr. Hixson, Johnson, Kent, Leonard,	Mr. McNaughton, Snow, Stevens,	11
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On motion of Mr. Stowell,

The last vote was reconsidered, as follows:

YEAS:

Mr. Clarke, Curtenius, Dickey, Fralick, Gardner, Goodrich, Gould, Griswold,	Mr. Hall, Harrington, Harris, Johnson, Lyon, McCauley, Newberry, Paddock,	Mr. Pierce, Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright,	24
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YEAS:

Mr. Arzeno, Beeson, Hickok,	Mr. Hixson, Kent, Leonard,	Mr. Moore, McNaughton,	8
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And the bill laid on the table

On motion of Mr. Goodrich,

A bill to amend the charter of the Pontiac and Genesee Railroad Company,

Was taken from the table, ordered to be read a third time, and

On motion of Mr. Arzeno,

Was laid on the table.

On motion of Mr. Griswold,

A bill to repeal sections 7, 8, 9, 10, 11 and 12 of an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849,

Was taken from the table and referred to committee of the whole.

On motion,

The Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

On motion,

The Senate went into committee of the whole on the general order,

Senator Hall in the chair.

After some time spent thereon the committee rose, and through their chairman reported back without amendment,

A bill relative to the deeds of married women.

Also, with amendments in which the concurrence of the Senate was asked,

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver and other ores;

From both which the committee asked to be discharged; and also that they had had under consideration,

A bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

In which the committee had made some progress, and asked leave to sit again thereon.

The report was accepted, the committee discharged from the two bills first named, and leave granted to sit again on the last.

The first named bill was laid on the table.

The amendments to the second named bill, as follows:

Insert at the end of section 2, "which shall not exceed \$500,000," and in first line of section 14, strike out "for cause,"

Were concurred in, and the bill laid on the table.

On motion,

The Senate adjourned.

Lansing, January 28, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Knickerbacker.

Roll called; a quorum present.

The journal of preceding day was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Griswold: of Edmonds & McReynolds and 900 others, for amendments to the charter of the city of Detroit.

Laid on the table.

By Mr. Beeson: of John Barney and 176 others, of the county of Cass, for an appropriation of certain swamp lands for the construction of plank roads.

Referred to committee on public lands.

By Mr. Twombly: of E. Holmes and 29 others, asking the Legislature to legalize certain roads in Bertrand, in Berrien county.

Referred to the committee on roads and bridges.

By Mr. McNaughton: of sundry citizens of Jackson county, praying that convicts may not be taught trades, nor engage in labor contrary to the provisions of the constitution.

Referred to committee on State Prison.

By Mr. Moore: of sundry persons, praying that the villages of Sherman and Ivanhoe, be incorporated into one, called Sturgis.

Referred to the committee on the division of towns and counties.

By Mr. Stevens: of N. H. Bailey and 72 others of Van Buren county, to establish a chair in the Homœopathy, in the medical department of the University, and direct the Regents to appoint a professor thereto.

Referred to committee on education.

REPORTS.

Mr. Griswold, from the judiciary committee, reported

A bill for taxing fees of judges of probate,

Which was read twice, laid on the table and ordered printed.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act directing the Auditor General to credit the county of Monroe with certain delinquent taxes; also,

Joint resolution relative to the public domain,

And that the same were signed and presented to the Governor for his approval.

Mr Hall, from the committee on the State Prison, reported

A bill to provide for the erection of a prison for the purposes of solitary confinement, and making an appropriation therefor.

The same was read twice, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill relative to indictments, and

A bill to amend sections 30 and 31 of an act entitled an act to provide for the organization and powers of the Supreme Court, approved April 4th, 1851.

The same were severally read twice, laid on the table and ordered printed.

Mr. Snow, from the committee on finance, reported

A bill to extend the time for the collection of taxes in the city of Detroit, in the county of Wayne.

The same was read twice, and the rule being suspended, the same was ordered to be read the third time, was so read, when

Mr. Pierce moved to commit the bill to the judiciary committee with instructions to inquire into the propriety of so amending the tax law, as to relieve the treasurers of towns, villages and cities, from paying over the moneys respectively collected by them, on extending the time for making the returns.

Lost as follows:

YEAS:

Mr. Beeson,
Curtenius,
Dickey,
Gould,

Mr. Hickok,
Hixson,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Smith,

11

NAYS:

Mr. Arzeno,
Clarke,
Fralick,
Gardner,
Goodrich,
Griswold,
Hall,

Mr. Harrington,
Harris,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McCauley,
Russell,
Snow,
Stevens,
Stowell,
Twombly,
Wright,

21

The question then being taken on the passage of the bill, the same was passed by the following majority vote:

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. Russell,
Clarke,	Harris,	Snow,
Fralick,	Johnson,	Stevens,
Gardner,	Leonard,	Stowell,
Goodrich,	Lyon,	Twombly,
Griswold,	Moore,	Wright,
Hall,	McCauley,	

20

NAYS:

Mr. Beeson,	Mr. Hickok,	Mr. Newberry,
Curtenius,	Hixson,	Paddock,
Dickey,	Kent,	Pierce,
Gould,	McNaughton,	Smith,

12

And the same was ordered to take immediate effect by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Russell,
Clarke,	Johnson,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Griswold,	McCauley,	Twombly,
Hall,	Paddock,	Wright,
Harrington,		

22

NAYS:

Mr. Beeson,	Mr. Hickok,	Mr. McNaughton,
Curtenius,	Hixson,	Newberry,
Dickey,	Kent,	Pierce,
Gould,		

10

Mr. Gould, from the judiciary committee, reported

A bill to amend sections 54, 55, 58, 59 and 60 of chapter 93 of the revised statutes of 1846, relative to proceedings in justices courts, and

A bill relative to what evidence may be given in actions for the recovery of lands, tenements and real estate.

The same were severally read twice, laid on the table and ordered printed.

Mr. Moore, from the committee on education, reported

A bill making appropriations to the State Normal School, which was read twice, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported back

House bill to amend section 19 of chapter 154 of the revised statutes of 1846, adverse to its passage, and ask to be discharged.

The report was accepted and the committee discharged.

Mr. Hickok moved to strike out all after "court" in the 5th line of section 49, pending which

The bill was recommitted to the committee.

MESSAGES.

The President announced the following :

EXECUTIVE OFFICE,
Lansing, January 27, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act ceding jurisdiction to the United States over divers tracts of lands for light houses :

Joint resolution requiring the trustees of the Michigan Central College, at Spring Arbor, to report, as required by the 5th section of the act of incorporation.

R. McCLELLAND.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 27, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A joint resolution relative to the distribution of journals and documents of the Legislature for the year 1853, and

A bill to amend sections 3, 9, 18, 19 and 20, of an act entitled an act relative to plank roads, approved March 13, 1848, and to add 5 new sections thereto, to stand as sections 25, 26, 27, 28, and 29,

Both which the House have passed, the last by a two thirds vote of all elected, and have ordered by a like vote that it take effect im-

mediately, and in all which the concurrence of the Senate is respectfully asked.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was read twice and referred to the committee on incorporations.

The joint resolution was so read, and referred to the committee on State affairs.

MOTIONS RESOLUTIONS AND NOTICES.

Mr. Lyon gave notice that he would on some future day ask leave to introduce

A bill to amend the charter of the city of Grand Rapids, approved April 2, 1851.

On motion of Mr. Harrington,

Resolved, That the Auditor General be requested to report to this Senate, the amount of primary school funds, heretofore appropriated for internal improvements and other purposes, for which the property and people of the State are now taxed to pay the interest and the amount of tax annually raised for such purpose.

On motion of Mr. Griswold,

A bill to amend the charter of the Pontiac & Genesee Railroad Company,

Was taken from the table and referred to the committee on incorporations.

On motion of Mr. Snow,

The committee of the whole, by a two-thirds vote, were discharged from

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon; and also for liquidating and funding the amount of principal and interest actually due upon the part-paid five million loan bonds approved April 1, 1848.

The same being under consideration,

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The Senate resumed the consideration of

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon, and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848,

Mr. Dickey moved to amend by striking out the word "State," in the 5th line of section 1, and inserting "bond holders,"

But the motion did not prevail.

The bill was ordered to be read a third time, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. McCauley,	
Beeson,	Hickok,	Paddock,	
Gardner,	Hixson,	Pierce,	
Goodrich,	Johnson,	Russell,	
Gould,	Kent,	Snow,	
Griswold,	Leonard,	Smith,	
Hall,	Lyon,	Stevens,	
Harrington,	Moore,	Twombly,	24

NAYS:

Mr. Clarke,	Mr. Fralick,	Mr. Newberry,	
Curtenius,	McNaughton.	Stowell,	
Dickey,			7

Was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. McCauley,	
Beeson,	Hickok,	Paddock,	
Clarke,	Hixson,	Pierce,	
Gardner,	Johnson,	Russell,	
Goodrich,	Kent,	Snow,	
Gould,	Leonard,	Smith,	
Griswold,	Lyon,	Stevens,	
Hall,	Moore,	Twombly,	
Harrington,			25

NAYS:

Mr. Curtenius,
Dickey,Mr. Fralick,
McNaughton,Mr. Newberry,
Stowell,

6

On motion,

The Senate went into committee of the whole on the general order,
Senator Newberry in the chair.

After some time spent thereon the committee arose, and through
their chairman reported back

A bill conferring additional powers and duties on the clerk of the
State Prison, and for other purposes,

With all after the enacting clause stricken out,

The two bills amendatory of the charter of the city of Detroit
and

A bill to amend section 13 of an act to incorporate the President,
Directors and Company of the Peninsular Bank, being a substitute
for the original bill, in which the concurrence of the Senate was ask-
ed and from all which the committee was asked to be discharged.

Pending the amendment to the first named bill, the same, on mo-
tion, was recommitted to the committee.

The last named was adopted as a substitute for the original, and
the same, with the Detroit city bills, were laid on the table.

By consent, the President announced the following message:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 27, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return
to the Senate,

Joint resolutions relative to the Tecumseh and Ypsilanti Railroad
Company,

And respectfully to inform you that the House have concurred
therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The resolution was ordered enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 26, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

1. A bill to authorize the Commissioner of the State Land Office to lease certain State property in the city of Detroit;

2. A bill to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1850;

3. A bill to amend section 2 of chapter 9 of the revised statutes of 1846; and

4. A bill to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon;

In all which the House have concurred, in the third named by a majority, and in the fourth named by a two-thirds vote of all the members elect, and all of which, except the third named, they have ordered by a two-thirds vote to take immediate effect.

Also to transmit,

5. Joint resolution authorizing the Board of State Auditors to settle the claim of Andrew Harvie;

6. A bill to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850, and also to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4, 1851; and

7. A bill to discontinue a certain road in the town of Martin, in the county of Allegan;

The fifth and seventh named of which the House have passed by a majority vote of all the members elect, and the sixth named by a two-thirds vote of all the members elect, and have ordered the fifth to take immediate effect by a like vote, in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The four first named were severally ordered enrolled.

The House bills and resolutions were severally read twice, and referred as follows:

The resolution to the committee on claims;

The 6th named to the committee on incorporations;

The 7th named to the committee on the division of towns and counties.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act to authorize the Commissioner of the State Land Office to lease certain State property in the city of Detroit;

And the same was signed and presented to the Governor for his approval.

On motion,

The Senate adjourned.

Lansing, January 29, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of preceding day was read, corrected and approved.

PETITIONS.

By Mr. Leonard: of sundry persons in favor of the Maine liquor law.

Laid on the table.

By Mr. Stowell: of S. K. Jones and 80 others, in favor of establishing a chair of Homœopathy in the medical department of the State University.

Referred to the committee on education.

Also: of Wm. S. Driggs, praying that an amount twice paid for primary school lands be refunded.

Referred to committee on judiciary.

By Mr. Hickok: of Anson Lavery and 63 others, to direct the commissioners of highways of the towns of Eaton and Benton to re-lay the Clinton road, as established Sept. 1st, 1851.

Referred to the committee on roads and bridges.

REPORTS.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act to repeal section 7 of an act to amend and consolidate the laws in relation to county courts, and for other purposes; approved April 2, 1850;

An act to amend section two of chapter nine of the revised statutes of 1846; also,

Joint resolution relative to the Tecumseh and Ypsilanti Railroad Company;

And the same were severally signed and presented to the Governor for his approval.

Mr. Stowell, from the committee on State affairs, reported back House bill to provide for the disposition of prisoners apprehended in the county of Montcalm;

House joint resolution relative to the distribution of the session laws, journals and documents of the legislature for the year 1853; and

Joint resolution relative to lot No. 1, block 95, for the First Baptist Church in Lansing,

Recommending the passage of the same, and from all which the committee asked to be discharged.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

31

NAYS:

Mr. Hixson,

1

The first named joint resolution was ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,	
Beeson,	Harrington,	Paddock,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hickok,	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	McCauley,	Twombly,	
Griswold,	McNaughton,	Wright,	30

NAYS:

0

The second named joint resolution was ordered to lie on the table.

Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend an act entitled an act to incorporate the village of Battle Creek, &c.,

Recommending its passage, and asked to be discharged.

The report was accepted, the committee discharged, and the bill laid on the table.

Mr. Moore, from the committee on education, to whom was referred the

Joint resolution relating to the distribution of the Superintendent's annual report, for 1852, among the school districts of the State,

Reported the same back, recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, and the joint resolution laid on the table.

Mr. Gould, from the judiciary committee, reported

A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts to the circuit courts.

The same was twice read, laid on the table and ordered printed.

Mr. Curtenius, from a minority of the select committee appointed to investigate alleged frauds in the State government, submitted a report in writing.

After some considerable time occupied in debate,

Mr. Fralick moved the previous question, which was ordered by a two-thirds vote, and the main question "being upon accepting the report, prevailed as follows:

YEAS :

Mr. Arzeno, Beeson, Fralick, Gardner, Goodrich, Griswold, Hall, Harrington,	Mr. Harris, Johnson, Kent, Leonard, Lyon, Moore, McNaughton,	Mr. Newberry, Paddock, Pierce, Russell, Smith, Stevens, Twombly,	22
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NAYS :

Mr. Clarke, Gould, Hickok,	Mr. Hixson, McCauley,	Mr. Snow, Stowell,	7
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And pending the question upon discharging the committee, the subject was laid on the table.

Mr. Griswold moved an adjournment; but the Senate refused to adjourn, as follows:

YEAS:

Mr. Griswold, Harrington, Hickok, Hixson,	Mr. Leonard, Lyon, McCauley, Russell,	Mr. Smith, Stowell, Twombly,	11
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NAYS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Fralick, Gardner,	Mr. Goodrich, Gould, Hall, Johnson, Kent, Moore,	Mr. McNaughton, Newberry, Paddock, Pierce, Snow, Stevens,	18
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On motion of Mr. Gould,

The Senate adjourned until 2 o'clock, P. M., by the following vote:

YEAS.

Mr. Arzeno, Beeson, Curtenius, Fralick, Gardner,	Mr. Goodrich, Gould, Johnson, Kent, Moore,	Mr. McNaughton, Newberry, Pierce, Snow, Stevens,	15
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NAYS:

Mr. Clarke, Griswold, Hall, Harrington, Hickok,	Mr. Hixson, Leonard, Lyon, McCauley,	Mr. Russell, Smith, Stowell, Twombly,	13
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Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

MESSAGES.

The President announced the following:

EXECUTIVE OFFICE, }
Lansing, January 29, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to repeal section 7 of an act to amend an act to consolidate the laws in relation to county courts and for other purposes; approved April 2, 1850;

An act to amend section 2 of chapter 9 of the revised statutes of 1846;

Joint resolution relative to the Tecumseh and Ypsilanti Railroad Company.

R. McCLELLAND.

Also the following:

EXECUTIVE OFFICE, }
Lansing, Jan. 29, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to authorize the commissioner of the State Land Office to lease certain State property in the city of Detroit.

R. McCLELLAND.

Mr. Griswold gave notice that he should on some future day ask leave to introduce

A bill to amend an act entitled an act to incorporate the Detroit River Sectional Floating Dock, Dry Dock, and Marine Railway Company, approved March 17, 1847.

Mr. Griswold, by unanimous consent, introduced

Joint resolution proposing an amendment to the constitution.

Read twice, laid on the table and ordered printed.

Mr. Lyon, pursuant to previous notice, leave being granted, introduced.

A bill to amend the charter of the city of Grand Rapids, approved April 2, 1850.

Read twice, laid on the table and ordered printed.

Mr. Russell gave notice that he would at some future time ask leave to introduce

A bill to amend section 25 of an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851.

Mr. Stowell, by unanimous consent, introduced

Joint resolution to amend the constitution, in relation to salaries.

The same was twice read, laid on the table and ordered printed.

On motion of Mr. Gould,

A bill to provide for sheriff's fees in certain cases;

A bill to amend section 57 of chapter 90 of the revised statutes of 1846, and to provide for taking testimony in open court in certain cases;

A bill to amend chapter 136 of the revised statutes of 1846, relative to informations in the nature of *quo warranto*, and in certain other cases;

A bill to establish an agricultural school;

A bill to amend section 7 of chapter 72 of the revised statutes; and

A bill to amend section 25 of chapter 85 of the revised statutes of 1846;

Were severally taken from the table and referred to the committee of the whole.

On motion of Mr. Arzeno,

A bill to provide for the exemption of personal property from sale on execution or other final process of any court, issued for the collection of any debt contracted since the adoption of the revised constitution,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Griswold,

A bill to amend an act entitled an act to incorporate the Detroit and Howell plank road company; and

A bill to establish a municipal court of criminal jurisdiction in the city of Detroit,

Were severally taken from the table and referred to the committee of the whole.

On motion of Mr. Stowell,

House bill for taking the census and statistics of this State; and

A bill to provide for taking the census for the year 1854,

Were taken from the table and referred to the committee of the whole.

On motion of Mr. Hixson,

A bill to amend sections 2 and 25 of chapter 60 of the revised statutes of 1846, relative to University and school lands,

Was taken from the table and referred to committee of the whole.

Mr. Arzeno moved that the Senate go into committee of the whole on the general order,

Mr. Moore moved to amend so as to take up the unfinished business of the committee on preceding days; which prevailed, and the Senate went into committee of the whole thereon,

Senator Arzeno in the chair.

After some time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

Mr. Johnson gave notice of his intention at some future day to ask leave to introduce

A bill to incorporate the village of East Saginaw; also,

A bill to incorporate the village of Zilwaukie.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon in the county of Ontonagon;

An act to incorporate the city of Adrian.

And the same were signed and presented to the Governor for his approval.

On motion,

The Senate adjourned.

Lansing, January 31, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Atterbury.

Roll called; a quorum present.

The journal of Saturday was read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Griswold : of H. R. Andrews and 377 others, for amendments to the charter of the city of Detroit.

Laid on the table.

■ [Mr. Gardner: of H. A. Delevan and 38 others, of Hillsdale county, for an appropriation to the State Agricultural Society.

Laid on the table.

Also, of W. W. Murphy and 44 others, for the establishment of a chair of Homœopathy at the University.

Referred to committee on education.

REPORTS OF STANDING COMMITTEES.

Mr. Clarke, from the committee on mines and minerals, to whom was referred

A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes,

Reported the same back, accompanied by a report in writing, recommending its passage, and asked to be discharged.

The report was accepted, the committee discharged, the report and bill laid on the table, and the report ordered printed.

Mr. Goodrich, from the committee on incorporations, submitted the following report :

The committee on incorporations, to whom was referred the remonstrance of citizens of Detroit, against certain proposed amendments to the charter of said city, touching the condition and management of the city water works, would respectfully report, that as the bill providing for such amendments has never been referred to them, but is now on the regular files of the Senate, as also are sundry petitions for the passage of such amendments, they have no recommendation to make, but report said remonstrance back without action, and ask to be discharged from the further consideration of the same.

The report was accepted, and the committee discharged, and the remonstrance laid on the table and ordered printed.

Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend sections 5, 6, 7, 9, 11 and 13, of an act to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance Company, of Detroit; approved March 7, 1834, and the acts amendatory thereto, approved March 28, 1849;

Accompanied by a report in writing.

The report was accepted, the committee discharged, the bill and report laid on the table, and the report ordered printed.

Also,

House bill to amend sections 3, 9, 18, 19 and 20 of an act entitled an act relative to plank roads, approved March 13, 1848, and to add five new sections thereto, to stand as sections 25, 26, 27, 28 and 29,

With sundry amendments in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged and the amendments as follows, concurred in:

Amend section 25, by striking out the words "said company," from the first line thereof, and insert in lieu thereof, the words "any such company."

Amend section 26, by making the same alteration in the first and second lines thereof, also the same in line three of said section.

Amend section 27, by making the same correction in the second line thereof, where the same words twice occur, and also where they again occur in the third line, and also in part in the third and part in the fourth lines.

Amend section 28, by making the same correction wherever the word "said company," occur.

Amend section 29, by making the same correction.

Amend section 18, by striking out the proviso contained in lines 8, 9 and 10.

Mr. McNaughton moved a reconsideration of the vote concurring in the amendment last above named; but the same did not prevail.

And the bill was ordered engrossed for a third reading.

Mr. Gould, from the judiciary committee, reported

A bill to amend section two of chapter 103 of the revised statutes of 1846, relative to trial of issues of fact.

The same was read twice, and the rule being suspended, was ordered to be read a third time, was so read, and passed by the following majority vote, of all the Senators elect:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hickok,
Hixson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McCauley,
McNaughton,
Newberry,
Pierce,
Snow,
Stevens,
Stowell,
Twombly,

26

NAYS:

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Mr. Hixson submitted the following report:

The committee on roads and bridges, to whom was referred

A bill to repeal sections 25, 26, 27 and 28, of act No. 156 of session laws of 1851,

Have had the same under consideration and have instructed me to report the same back to the Senate without giving any opinion, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill laid on the table.

Mr. Gould, from the judiciary committee, reported back the memorial of R. Landon, treasurer of Jackson county, with

A bill to amend section 8 of an act to provide for the removal of the State Land Office to the seat of government.

The report was accepted, the committee discharged, the bill read twice, and the memorial and bill laid on the table, and the bill ordered printed.

Also reported back House bill to amend section 49 of chapter 154 of the revised statutes of 1846, with a substitute therefor, being

A bill to prevent the wilful and mischievous destruction of fruit, shade, or ornamental trees;

In which the concurrence of the Senate was asked, and ask to be discharged.

The report was accepted, the committee discharged, the substitute adopted, ordered engrossed, and the bill to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arseno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Hall,
Harrington,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

29

NAYS:

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And the same was ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

MESSAGES.

The President announced the following :

EXECUTIVE OFFICE,
Lansing, January 29, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act directing the Auditor General to credit the county of Monroe with certain delinquent taxes;

An act to authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon; and

Joint resolution relative to the public domain.

R. McCLELLAND.

Also the following :

EXECUTIVE OFFICE,
Lansing, January 31, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the city of Adrian.

R. McCLELLAND.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Jan. 29, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien,

And to respectfully inform the Senate that the House have concurred therein, and ordered by a two-thirds vote of all the members elected that it take immediate effect.

Also to transmit,

1. A bill to organize certain townships in the county of Ontonagon, in the Upper Peninsula;

2. A bill to complete the organization of the county of Grand Traverse;

3. A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848;

4. A bill to amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the village of Hillsdale, approved April 1, 1850; and

5. A bill to attach the counties of Midland, Aronac, Gladwin, Isabella and Iosco, to the county of Saginaw, and for other purposes;

All which the House have passed by a vote of two-thirds of all the members elected, and ordered by a like vote that the second and third named take effect immediately, and in all which the concurrence of the Senate is respectfully asked.

I am further instructed to respectfully inform the Senate that the House have concurred in the Senate amendments to

A bill to amend section 5, chapter 50 of the revised statutes of 1846, relative to unauthorized banking, &c.,

And have ordered the bill as amended to be enrolled.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The Senate bill was ordered enrolled.

The House bills were severally read twice, and referred as follows:

The 1st, 2d and 5th named to the committee on the division of towns and counties;

The 3d to the committee on internal improvement,

And the 4th to the committee on incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Griswold, by unanimous consent, introduced

A joint resolution relative to the charters of banks.

The same was read twice, when

Mr. Griswold moved a suspension of the rule, so as to read the third time; but the motion did not prevail, as follows:

YEAS.

Mr. Arzeno,	Mr. Hixson,	Mr. Newberry,	
Clarke,	Johnson,	Russell,	
Gould,	Leonard,	Smith,	
Griswold,	Lyon,	Twombly,	
Hall,	Moore,	Wright,	
Harris,	McCauley,		17

NAYS:

Mr. Beeson,	Mr. Harrington,	Mr. Pierce,	
Curtenius,	Kent,	Snow,	
Fralick,	Paddock,	Stowell,	
Goodrich,			10

The Chair decided that the resolution must lay over one day, being of the same nature as a bill.

Mr. Griswold appealed from the decision of the Chair; and the question being taken, shall the decision of the Chair stand as the decision of the Senate? the same was decided in the affirmative, as follows:

YEAS:

Mr. Arzeno,	Mr. Hickok,	Mr. Newberry,	
Beeson,	Hixson,	Paddock,	
Curtenius,	Johnson,	Pierce,	
Fralick,	Kent,	Russell,	
Goodrich,	Leonard,	Snow,	
Gould,	Lyon,	Smith,	
Hall,	Moore,	Stowell,	
Harrington,	McCauley,	Twombly,	
Harris,	McNaughton,	Wright,	27

NAYS:

Mr. Griswold,		1
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On motion of Mr. Beeson,

Resolved, That the committee on public lands be instructed to inquire into the expediency of granting to the several counties the swamp lands granted to this State by Congress; the counties, after complying with the grant relative to draining them, to have the avails over and above the expenses of draining, for the support of schools, and that they have leave to report by bill or otherwise.

Mr. Gould offered the following preamble and resolution, which was adopted:

Whereas, By section 5 of the schedule to the present constitution, it was provided that the Governor and Lieutenant Governor should be chosen under the then existing constitution and laws, to serve after the expiration of the term of the then present incumbents;

And whereas, By section 20 of said schedule, it was provided that the salaries or compensation of all persons holding office under the then present constitution should continue to be the same as then provided by law, until superceded by their successors, elected or appointed under the present constitution;

And Whereas, The Governor of this State, elected at the general election in the year 1851, to serve from the first day of January 1852, to the first day of January 1853, was elected under the old constitution;

And Whereas, The salary of the said Governor, under the laws in force previous to the adoption of the present constitution, was fifteen hundred dollars per annum; therefore

Resolved, As the opinion of the Senate, that the Governor for the year 1852, is entitled to a salary of fifteen hundred dollars for that year.

Mr. Griswold, pursuant to notice, leave being granted, introduced

A bill to amend an act entitled an act to incorporate the Detroit River Sectional Floating Dock, Dry Dock, & Marine Railway Company, approved March 17, 1847.

The same was read twice and laid on the table.

Mr. Johnson moved to go into committee of the whole on the University interest bill.

Mr. Goodrich moved to amend so that when the Senate go into committee of the whole, the committee first consider that bill, and then the asylum, and agricultural school bills, which prevailed, and the motion as amended was agreed to.

On motion of Mr. Wright,

Resolved, That the Secretary of the Senate be authorized to appoint an assistant when in his judgement such assistant shall be needed.

On motion of Mr. Gould,

A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts, to the circuit courts,

Was taken from the table, ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Clarke,	Harris,	Paddock,	
Curtenius,	Hickok,	Pierce,	
Frellick,	Hixson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Stevens,	
Griswold,	McCauley,	Twombly,	
Hall,	McNaughton,	Wright,	27

NAYS:

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And the same was ordered to take immediate effect by a two-thirds vote of all the Senators elect.

On motion of Mr. Griswold,

The committee of the whole were discharged from the further consideration of the House and Senate census bills, and the same were made the special order of to-morrow at 11 o'clock A. M.

On motion of Mr. Harrington,

The committee of the whole were discharged from the further consideration of

A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners.

Mr. Gould moved to amend in the fourth lines of sections one and two, by inserting after the word "interested," the words "or unable to act;" which prevailed.

The bill was then ordered to be read the third time, was so read and passed, by the following vote:

YEAS:

Mr. Arseno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Paddock,	
Clarke,	Hickok,	Pierce,	
Curtenius,	Hixson,	Russell,	
Fralick,	Johanson,	Snow,	
Gardner,	Kent,	Smith,	
Goodrich,	Leonard,	Stevens,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,	McCauley,		29
	NAYS:		0

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

On motion,

The Senate adjourned until 2 o'clock, P. M.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The President, by consent, announced the following message:

HOUSE OF REPRESENTATIVES, }
Lansing, January 31, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A joint resolution relative to the contingent fund;

A joint resolution relative to a grant of land by Congress for internal improvements; and

A bill providing for the allowance of costs in certain cases;

All which the House have passed, the last by a two-thirds vote of all elected, and in which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

The bill and joint resolutions were severally read twice, and referred as follows:

The bill to the judiciary committee.

The first named joint resolution to the committee on finance.

The second named to the committee on internal improvement.

On motion of Mr. Clarke,

The House general mining bill was taken from the table and ordered to be read a third time, was so read, and then laid on the table.

On motion,

The Senate went into committee of the whole under the order made during the morning session,

Senator Pierce in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back

A bill relative to the University interest fund,

To which the committee had made sundry amendments in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, and the amendments concurred in.

Mr. Fralick moved to lay the bill on the table; but the motion did not prevail.

On motion of Mr. Wright,

The Senate adjourned.

Lansing, February 1, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr Dayfoot.

Roll called; a quorum present.

The journal of the preceding day was read and approved.

PETITIONS.

By Mr. Fralick: of 47 legal voters, and 230 persons not voters of the city of Detroit, in favor of the passage of a law similar to the Maine liquor law.

Laid on the table.

Mr. Twombly : of sundry persons on the same subject.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Snow from the finance committee, reported back

House joint resolution relative to contingent fund, recommending its passage.

The report was accepted, the committee discharged, the joint resolution ordered to be read a third time, was so read and adopted by the following two-thirds vote of all elect :

YEAS :

Mr. Arzeno	Mr. Hixson,	Mr. Pierce,
Beeson,	Johnson,	Russell,
Curtenius,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,
Griswold,	Newberry,	Wright,
Hall,	Paddock,	

26

NAYS :

0

Mr. Johnson, from the committee on internal improvements, reported back

House joint resolution relative to grant of lands by Congress for internal improvements, recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, and the resolution laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill supplementary to an act entitled an act to define the limits, jurisdiction and powers of the circuit courts, and to repeal an act entitled an act supplementary thereto, approved June 27, 1851.

Read twice, laid on the table and ordered printed ; also,

A bill to prescribe the form of a deed of real estate.

Read twice, laid on the table and ordered printed.

Mr. Hixson, from the committee on roads and bridges, reported

A bill to amend section 5, of an act entitled an act to provide for the improvement of a certain State road leading from Lansing, in the county of Ingham, passing through the villages of Charlotte and Bellevue, in the county of Eaton, to the village of Battle Creek, in the County of Calhoun, approved April 2, 1850.

The same was read twice and laid on the table.

Mr. Harrington, from the committee on public lands, reported

A bill to extend the right of pre-emption to settlers on swamp lands.

Read twice, laid on the table and ordered printed.

Mr. Johnson, from the committee on internal improvement, reported back

House bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washenaw, approved April 3. 1848,

With the following amendment:

Sec. 2, line 6, strike out "highest," and insert "lowest."

In which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, the amendment concurred in, and

On motion,

The bill was laid on the table.

Mr. Goodrich, from the committee on incorporations, reported

A bill to provide for the incorporation of individuals and associations for the purposes of banking.

Read twice, laid on the table and ordered printed.

Mr. McCauley, from the committee on the division of towns and counties, submitted the following report:

The committee to whom was referred

House bill relative to the organization of certain townships in the county of Ontonagon, in the Upper Peninsula,

Have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage, and the committee ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Clarke,	Mr. Harrington,	Mr. McNaughton,
Curtenius,	Harris,	Paddock,
Dickey,	Hickok,	Pierce,
Fralick,	Hixson,	Russell,
Gardner,	Kent,	Snow,
Goodrich,	Leonard,	Smith,
Gould,	Lyon,	Twombly,
Griswold,	McCauley,	Wright,
	YEAS:	24
		0

Also the following :

The committee to whom was referred,

House bill No. 50, to complete the organization of the county of Grand Traverse,

Have instructed me to report the same back to the Senate without amendment, and recommend its passage, and the committee ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hickok,	Pierce,
Curtenius,	Hixson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Goodrich,	Lyon,	Stevens,
Gould,	Moore,	Twombly,
Griswold,	McCauley,	Wright,
Hall,		
		28
		0

NAYS:

And by a like vote the same was ordered to take immediate effect.

Also the following :

The committee to whom was referred

House bill No. 49, to attach the counties of Midland, Aronac, Gladwin, Issabella and Iosco to the county of Saginaw, and for other purposes, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage ;

And the committee ask to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Clarke,	Harris,	Paddock,
Curtenius,	Hickok,	Pierce,
Dickey,	Hixson,	Russell,
Fralick,	Kent,	Snow,
Gardner,	Leonard,	Smith,
Goodrich,	Lyon,	Stevens,
Gould,	Moore,	Twombly,
Griswold,	McCauley,	Wright,
Hall,	McNaughton,	

20

NAYS:

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And by a like vote the same was ordered to take immediate effect.

Also the following :

The committee on the division of towns and counties have had under consideration House bill No. 43 entitled

A bill to discontinue a certain road in the town of Martin, in the county of Allegan :

Respectfully report, that in the opinion of this committee, the same is in direct conflict with the last subdivision of section 23, of article 4, of the Constitution of this State, and that any legislation on the subject would be unconstitutional and void ; that they report the bill back to the Senate with the recommendation that it do not pass.

The report was accepted, the committee discharged and the bill laid on the table.

Mr. Gould, from the judiciary committee, reported back

The resolution of the board of supervisors of Kent county, on the subject of assessment and collection of taxes, with a written report.

The same was accepted, the committee discharged, the report laid on the table and ordered printed, and the resolution referred to the committee of the whole ; also, to whom was referred the petition of W. Z. Blanchard and others, for an alteration in the collection laws, reported the same back with a written report.

The report was accepted, the committee discharged, the petition laid on the table, and the report laid on the table and ordered printed.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien,

And the same was signed and presented to the Governor for his approval.

The hour of 11 o'clock having arrived, the Senate took up the special order for that hour, being the House and Senate census bills, and proceeded to consider the same as in committee of the whole.

After some time spent thereon, the bills were reported back to the Senate with sundry amendments, in which the concurrence of the Senate was asked.

The amendments to the House bill, as follows, were concurred in :

Strike out "three" in line 3, section 10, and insert "four."

Strike out "one" in line 4 of section 10, and insert "two."

Sec. 11. That it shall be the duty of the persons required in the act to take said census, to have the several columns of figures footed, and the aggregate amount put down.

Mr. Fralick moved to insert the following at the end of line 4, of sec. 9 :

City of Detroit, and 10 copies to the mayor of every other city in the State, for the use of the several city libraries.

Mr. Stowell moved to amend by adding the following :

And one copy to each of the members of the present Legislature, and to the officers.

Which prevailed, and the amendment as amended was agreed to.

Mr. Fralick moved to insert after "four," in line 2 of section 9, "and shall deposit 50 copies in the State Library," which prevailed.

Mr. Harris offered the following to stand as section 12, and the same was adopted :

That the Governor appoint marshals to take the census in the unorganized territory not otherwise provided in this act.

Mr. McCauley offered the Senate bill as a substitute for the House bill as amended, but the same was lost as follows :

YEAS:

Mr. Clarke,
Goodrich,
Gould,

Mr. Hickok,
Lyon,
Moore,

Mr. Smith,
Stevens,
Stowell,

Harrington,
Harris,

McCauley,
Russell,

Twombly,
Wright, 15

NAYS:

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,

Mr. Griswold,
Hall,
Hixson,
Johnson,
Kent,
Leonard,

Mr. McNaughton,
Newberry,
Paddock,
Pierce,
Snow, 17

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The Senate resumed the consideration of the special order.

Mr. Stowell moved a reconsideration of the vote by which the Senate substitute was lost.

And the same prevailed, as follows:

YEAS:

Mr. Goodrich,
Gould,
Hall,
Harrington,
Hickok,

Mr. Lyon,
McCauley,
Russell,
Snow,
Smith,

Mr. Stevens,
Stowell,
Twombly,
Wright, 14

NAYS :

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,

Mr. Johnson,
Kent,
Leonard,
Moore,

Mr. McNaughton,
Newberry,
Paddock,
Pierce, 18

The question then being on the substitute, the same was lost as follows:

YEAS :

Mr. Clarke,
Goodrich,
Gould,
Griswold,
Harrington,

Mr. Harris,
Hickok,
Lyon,
McCauley,
Russell,

Mr. Smith,
Stevens,
Stowell,
Twombly,
Wright, 15

NAYS :

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,

Mr. Hall,
Hixson,
Johnson,
Kent,
Leonard,
Moore,

Mr. McNaughton,
Newberry,
Paddock,
Pierce,
Snow,

17

On motion of Mr. Gould,

The bill was laid on the table by the following vote:

YEAS:

Mr. Fralick,
Goodrich,
Gould,
Griswold,
Harrington,
Harris,

Mr. Hickok,
Lyon,
Moore,
McCauley,
Russell,
Snow,

Mr. Smith,
Stevens,
Stowell,
Twombly,
Wright,

17

NAYS.

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,

Mr. Gardner,
Hall,
Hixson,
Johnson,
Kent,

Mr. Leonard,
McNaughton,
Newberry,
Paddock,
Pierce,

15

MESSAGES.

The President announced the following :

EXECUTIVE OFFICE,
Lansing, Feb. 1, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection of taxes in the township of Niles, in the county of Berrien.

R. McCLELLAND.

Also the following :

HOUSE OF REPRESENTATIVES,
Lansing, January 31, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act No. 39, of the

session laws of 1849, and attached to the township of Henrietta, in said county;

Which the House have passed by a two-thirds vote of all the members elect, and by a like vote ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,

Clerk of the House of Rep's.

The bill was read twice and referred to the committee on the division of towns and counties.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A joint resolution authorizing the Auditor General to issue a new land warrant to Isaac L. Swan, in the place of one lost;

Which the House have passed and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The resolution was read twice and referred to the committee on finance.

Mr. Fralick, by consent, gave notice that he would at some future day ask leave to introduce

A bill to amend section 107 of chapter 58 of the revised statutes of 1846.

REPORTS.

Mr. Gould, from the judiciary committee, reported

A joint resolution relative to refunding money twice paid for certain primary school lands.

The same was read twice and laid on the table.

Also, from the committee on public lands, reported

A bill to authorize certain State officers to convey certain land to the First Universalist Church in Lansing,

Which was read twice and laid on the table.

Mr. Smith, from the committee on claims, reported back House joint resolution authorizing the board of State Auditors to settle the claim of Andrew Harvie,

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged, and the joint resolution laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Griswold,

The two bills amendatory of the charter of the city of Detroit, were taken from the table.

The first being under consideration,

On motion of Mr. Griswold,

The following amendment was adopted to stand as a new section:

"The common council of said city is hereby authorized and empowered to levy and collect a tax not exceeding twelve thousand dollars in any one year, for school purposes, to be expended pursuant to law; *Provided*, That said tax, when so collected, shall be paid to the treasurer of said board of education, to be used by the said board for the purposes aforesaid, and no other. The above tax to be in lieu of all taxes authorized by section one of the act entitled "an act to amend an act relative to free schools in the city of Detroit, approved February seventeenth, one thousand eight hundred and forty-two; approved March twelfth, in the year one thousand eight hundred and forty-seven."

Also the following :

Sec. —. It shall be the duty of the common council to license and regulate markets for the sale of fresh meat and other provisions, at such places in the city as the public convenience may from time to time require; and they are hereby fully empowered to enact and enforce all ordinances and by-laws necessary to carry the same into effect.

On motion of Mr. Pierce,

Section 25 was stricken out.

On motion of Mr. Gould,

The following amendments were adopted:

Section 18, line 4, after the word "person," insert "over and above his or her earnings."

Section 18, line 5, strike out "city auditor," and insert "the board of State auditors."

The bill was then ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS :

Mr. Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Kent,
Leonard,
Lyon,
McCauley,
Newberry,

Mr. Paddock,
Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

23

NAYS :

Mr. Arzeno,
Beeson,
Hickok,

Mr. Hixson,
Moore,

Mr. Pierce,
Snow,

7

On motion of Mr. Moore,

A bill to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works,

Was laid on the table.

On motion of Mr. Dickey,

House bill to amend the charter of the village of Battle Creek, &c.,

Was taken from the table; when

On motion,

The Senate adjourned.

Lansing, February 2, 1855.

The President called the Senate to order.

Prayer by the Rev. Mr. Knickerbacker.

Roll called ; a quorum present.

The journal of preceding day read, corrected and approved.

PETITIONS PRESENTED.

By Mr. Twombly: of R. L. Phillips and 27 others, of the township of New Buffalo, asking for an alteration in the tax law.

Referred to the committee of the whole.

By Mr. Stowell: of Oliver M. Martin and 40 others; of S. P. Jewett and 60 others; of C. A. Jarger and 28 others, of Ann Arbor, for the establishment of a chair of Homœopathy in the medical department of the State University.

Referred to committee on education.

By Mr. Hall: the memorial of H. H. Brigham and seven others, assistant keepers, asking an increase of salary.

Read and referred to the committee on State prison.

By Mr. Russell: of S. W. Badger and 53 others, of Ionia county, praying that every facility be granted for the construction of the Northern Railroad through the Grand River Valley; of J. Tibbits and 39 others, with a like prayer; of A. M. Rolf and 55 others, with a like prayer.

Referred to the committee on incorporations.

By Mr. McNaughton: of Isaiah S. Kaywood and 40 other legal voters of Jackson county, asking the passage of a resolution requesting the Governor to pardon E. Farnham and others, railroad conspirators, so called; of Jerome B. Eaton and 133 others, with a like prayer; of Joseph B. Pierce and 223 others, with a like prayer.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Snow. from the committee on finance, reported back

A joint resolution authorizing the Auditor General to issue a new land warrant to Isaac N. Swain, in the place of one lost,

With an amendment, and asked to be discharged from the further consideration of the same.

The report was accepted and the committee discharged.

The amendment made by committee, as follows, was then concurred in:

Amend the resolution by inserting at the end of the same, the following proviso: "*Provided*, Said Isaac N. Swain, or some other person on his behalf, shall first give to the State of Michigan a good and sufficient bond, to be approved by the Auditor General, indemnifying the State against the payment of the said warrant heretofore issued.

The resolution as amended was then read a third time and passed by the following vote:

YEAS :

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Beeson,	Hickok,	Paddock,	
Clarke.	Hixson,	Pierce,	
Curtenius,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Stowell,	
Hall,	McCauley,	Twombly,	
Harrington,	McNaughton,	Wright,	30

NAYS :

0

Mr. Goodrich, from the committee upon incorporations, reported back

A bill to amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the village of Hillsdale, approved April 1, 1850,

For which the committee offered a bill as a substitute, entitled

A bill to amend sections 13 and 18, of an act entitled an act to incorporate the village of Hillsdale ;

And asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The substitute was then adopted, ordered to be read a third time, was so read, and passed by a vote of two-thirds of all the Senators elect, as follows:

YEAS:

Mr. Clarke,	Mr. Harris,	Mr. Paddock,	
Dickey,	Hickok,	Pierce,	
Fralick,	Johnson,	Russell,	
Gardner,	Kent,	Snow,	
Goodrich,	Leonard,	Stevens,	
Gould,	Moore,	Stowell,	
Griswold,	McCauley,	Twombly,	
Hall,	McNaughton,	Wright,	
Harrington,			24

NAYS:

Mr. Hixson,	1
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Mr. McCauley, from the committee upon the division of towns and counties, made the following report:

The committee on towns and counties to whom was referred,

House bill No. 51, to restore to the township of Rives in the county of Jackson, all that portion of said township detached by act No. 39, of the session laws of 1849, and attached to the township of Henrietta, in said county,

Have had the same under consideration and the committee have instructed me to report the same back to the Senate without amendment, and recommend its passage.

And the committee ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The bill was then read a third time and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS.

Mr. Clarke,	Mr. Harrington,	Mr. McNaughton,	
Curtenius,	Harris,	Newberry,	
Fralick,	Hickok,	Pierce,	
Gardner,	Hixson,	Russell,	
Goodrich,	Kent,	Stevens,	
Gould,	Leonard,	Stowell,	
Griswold,	Lyon,	Twombly,	
Hall,	McCauley,	Wright,	24

NAYS:

0

Mr Harrington from the committee on public lands, made the following report:

The committee on public lands have had under consideration the petition of Frederick J. Perkins, and instructs me to make the following report:

It appears from the records of the State Land Office, that said petitioner purchased the north-east quarter of section 16, town 7, south of range 16 west, at \$8 per acre, on which he paid \$128; he afterwards permitted the land to be forfeited; since that time, and after the reduction of the minimum price of school lands, said land has been purchased, $\frac{1}{4}$ part at \$5, and $\frac{3}{4}$ at \$4 per acre, thus leaving the school fund to bear the loss of \$472, including the amount paid by said petitioner, and exclusive of interest. With these facts before your committee, they can see no foundation, either legal or equitable, for the allowance of the prayer of said petitioner.

[The report of the committee was accepted, the committee discharged and the report laid on the table.

Mr. Harrington, from the committee on public lands, also reported back,

House bill for the relief of James Waters, recommending its passage, and asking to be discharged from its further consideration.

The report was accepted and the committee discharged, and

The bill was laid upon the table.

Mr. Gould, from the judiciary committee, reported

A bill to amend section 3 of an act entitled an act to incorporate the Paw Paw & Allegan Plank Road Company, approved March 25, 1850.

A bill to amend section 2 of an act entitled an act to incorporate the Paw Paw Plank Road Company, approved April 3, 1848 ; also,

A bill to amend section 4 of an act relative to plank roads, approved March 13, 1848, and all acts amendatory thereto ;

The above bills were then severally read a first and second time, laid on the table and ordered to be printed.

MESSAGES.

The President announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to furnish each school district in the State the unabridged American Dictionary of the English language, by Noah Webster, which the House have passed, and respectfully ask the concurrence of the Senate therein.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The above bill was then read twice, and referred to the committee on education.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Snow moved to take from the table

Senate bill No. 28, for the construction of public offices at the seat of government, at Lansing,

And that the same be ordered to be read the third time.

Carried.

The bill was then read a third time and passed by the following vote :

YEAS :

Mr. Beeson,	Mr. Hall,	Mr. Moore,	
Clarke,	Harrington,	McCauley,	
Curtenius,	Harris,	McNaughton,	
Dickey,	Hickok,	Paddock,	
Fralick,	Hixson,	Russell,	
Gardner,	Johnson,	Snow,	
Goodrich	Kent,	Smith,	
Gould,	Leonard,	Stevens,	
Griswold,	Lyon,	Stowell,	27

NAYS :

Mr. Newberry,	Mr. Wright,	2
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The President, by consent of the Senate, announced the following message from the House :

HOUSE OF REPRESENTATIVES, }
Lansing. February 2, 1853. }

Resolved, That the Clerk of the House of Representatives be and he is hereby authorized and instructed to obtain from the Senate House bill No. 59.

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate, the foregoing resolution, and to respectfully request the permission of the Senate to withdraw the bill referred to.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

On motion of Mr. Snow,

The committee upon education was discharged from the consideration of the above bill, and the Secretary directed to return the same to the House.

On motion of Mr. Stowell,

A bill relative to the University interest fund,

Was taken from the table and ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Clarke,	Hickok,	Paddock,	
Curtenius,	Hixson,	Pierce,	
Dickey,	Johnson,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Stowell,	
Griswold,	McCauley,	Twombly,	24

NAYS:

Mr. Beeson	Mr. Kent.	Mr. Russell,	
Fralick,	Newberry,	Wright,	
Harris,			7

The bill was then ordered by a two-thirds vote of all the Senators elect, to take immediate effect.

On motion of Mr. Clarke,

House bill No. 29, to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver or other ores, or minerals, and for other manufacturing purposes, was taken from the table.

Mr. Twombly asked and obtained leave to offer an amendment to the bill.

Mr. Twombly then moved to amend the bill by adding a new section, to stand as

Sec. 26. This act shall be subject to the provisions of chapter 55, title 10 of the revised statutes of 1846, so far as applicable to companies formed under this act.

Adopted.

The bill was then ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,
Beeson,	Hickok,	Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,

Griswold,
Hall,

McNaughton,

Wright,

31

NAYS:

0

The bill was then ordered by a vote of two-thirds of all the Senators elect to take immediate effect.

Mr. Griswold moved that the bill passed yesterday, amendatory of the charter of the city of Detroit, be ordered to take immediate effect.

The bill was then ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. Moore moved to go into committee of the whole on the following named bills:

Asylum bill, Agricultural School bill, Normal School bill, and the bill making appropriations in aid of the State Agricultural Society.

Mr. McNaughton moved to amend so as to go into committee of the whole upon the special order, being the Maine liquor bill.

The amendment did not prevail.

The question recurring upon Mr. Moore's motion, the same was lost.

On motion of Mr. Stowell,

A bill to establish a municipal court of criminal jurisdiction in the city of Detroit,

Was taken from the table and referred to the committee of the whole.

On motion of Mr. Johnson,

House bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3 1848,

Was taken from the table, the amendment ordered engrossed, and the bill to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,

Griswold,
Hall,

McCauley,
McNaughton,

Twombly,
Wright, 30

NAYS: 0

And the same was ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

On motion of Mr. Griswold,

A joint resolution relative to the charters of banks,

Was taken from the table.

Mr. Gould offered the following, as a substitute therefor:

Resolved, That in the opinion of the Senate it is not necessary to give notice of an application to alter, amend or repeal an act of incorporation, when the application is upon the part of the State, and not upon the part of said incorporation, or an individual or individuals.

Pending which,

On motion,

The Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The President, by consent, announced the following message:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 2, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate :

A bill to provide for the construction of a ship canal around the Falls of St. Mary,

Which the House have passed with amendment, by a two-thirds vote of all elected, and ordered by a like vote that it take effect immediately, in all which the concurrence of the Senate is respectfully asked,

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The House amendments to the bill were read and the bill referred to the committee upon that subject.

The Senate resumed the consideration of the joint resolution relative to banks.

The question being upon the substitute offered by Mr. Gould, Mr. Goodrich offered the following as a substitute therefor:

The people of the State of Michigan enact, That an act to provide for notice of application for alterations and amendments of the charters of corporations, approved April 7th, 1851, be and the same is hereby amended, by adding a new section thereto, as follows:

Section 4. Nothing in this act contained shall prohibit or restrain the legislature of 1853 from altering or amending the charter of any banking institution, on one day's public notice, previously given, by publication thereof in the Lansing State Journal, or by a member in his place.

Pending which,

On motion of Mr. Griswold, the whole subject was laid on the table.

Mr. Clark gave notice that at some future day he would ask leave to introduce

A bill to amend an act to incorporate the Native Copper Company, approved March 31, 1849.

Mr. Wright offered a concurrent resolution relative to an adjournment of the Legislature, which,

On motion of Mr. Fralick,

Was laid on the table.

On motion of Mr. Gould,

A bill to amend section 13 of an act to incorporate the President, Directors and Company of the Peninsular Bank, being a substitute for the original bill,

Was taken from the table, ordered to be read the third time, and the question being on its passage the same was lost, two-thirds of the Senators elect not voting in favor of its passage, as follows:

YEAS :

Mr. Arzeno,
Clarke,
Gould,

Mr. Hixson,
Kent,
Leonard,

Mr. Newberry,
Paddock,
Russell,

Griswold,
Hall,
Harrington,
Hickok,

Lyon,
Moore,
McCauley,
McNaughton,

Smith,
Stevens,
Twombly,
Wright, 21

NAYS:

Mr. Beeson,
Curtenius,
Fralick,
Gardner,

Mr. Goodrich,
Harris,
Johnson,

Mr. Pierce,
Snow,
Stowell, 10

On motion of Mr. Griswold,

The last vote was reconsidered, and the bill laid on the table.

On motion of Mr. Griswold,

The joint resolution relative to the charters of Banks, and the substitute therefor, were taken from the table.

The question being upon the substitute offered by Mr. Goodrich.

Mr. Gould moved to strike out all after the word "Legislature."

Lost.

Mr. Gould then moved to strike out "of 1853."

Carried, by the following vote:

YEAS.

Mr. Clarke,
Gould,
Griswold,
Hall,
Harris,
Hickok,
Huxson,

Mr. Kent,
Leonard,
Lyon,
Moore,
McCauley,
Newberry,

Mr. Paddock,
Russell,
Smith,
Stevens,
Twombly,
Wright,

19

NAYS:

Mr. Beeson,
Curtenius,
Fralick,

Mr. Gardner,
Goodrich,
McNaughton,

Mr. Pierce,
Snow,
Stowell, 9

Mr. Gould then accepted Mr. Goodrich's substitute for his own.

The question then being upon the substitute,

Mr. Dickey offered the following as an amendment thereto:

"*Provided*, That no amendment to the charter of any existing corporations shall be introduced upon the credit of the State, except the same be recommended by the Governor in an annual or special message."

Lost.

The question recurring upon the substitute, the same was adopted, ordered to be read a third time, was so read and lost on its passage, as follows:

YEAS:

Mr. Clarke,
Fralick,
Goodrich,

Mr. Harris,
Lyon,

Mr. McNaughton,
Snow,

7

NAYS:

Mr. Curtenius,
Gardner,
Gould,
Griswold,
Hall,
Harrington,
Hickok,

Mr. Hixson,
Johnson,
Kent,
Leonard,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Pierce,
Stevens,
Twombly,
Wright,

19

Mr. Gould offered the following resolution :

Resolved, That in the opinion of the Senate it is not necessary to give notice of an application to alter, amend or repeal an act of incorporation, when the application is upon the part of the State, and not upon the part of said incorporation, or an individual or individuals.

For which Mr. Goodrich offered the following as a substitute :

Resolved. That the State is a supreme and absolute sovereignty, and by virtue of its reserved rights as such sovereignty, may at any and all times disregard its contracts, whether the contracting parties are bodies corporate or private individuals.

Which was lost by the following vote :

YEAS:

Mr. Goodrich,

1

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gould,
Griswold,
Hall,
Harrington,

Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Stevens,
Stowe l,
Twombly,
Wright,

26

The question recurring upon Mr. Gould's resolution,

Mr. Fralick offered the following amendment thereto :

Provided, That the State shall be represented in asking such amendment by the Governor or Attorney General.

But the same did not prevail.

The question then being upon Mr. Gould's resolution, the same was adopted by the following vote :

YEAS.

Mr. Clarke,	Mr. Hixson,	Mr. Newberry,	
Gould,	Kent,	Paddock,	
Griswold,	Leonard,	Russell,	
Hill,	Lyon,	Smith,	
Harrington,	Moore,	Stevens,	
Hickok,	McCauley,	Twombly,	18

NAYS.

Mr. Beeson,	Mr. Gardner,	Mr. Pierce,	
Curtenius,	Goodrich,	Snow,	
Dickey,	Johnson,	Stowell,	
Fralick,			10

On motion of Mr. Griswold,

A bill to amend section 2 of an act to amend an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848; approved April 2 1850; and

Joint resolution proposing an amendment to the constitution,

Were taken from the table and referred to the committee of the whole.

Mr. Clark, pursuant to previous notice, leave being granted, introduced the following bill:

A bill to amend an act to incorporate the Native Copper Company, approved March 31, 1849.

The same was read twice and laid on the table.

On motion of Mr. Harrington,

A bill to provide for the election of inspectors of lumber and saw logs in each organized township in this State,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Moore,

A bill making appropriations for the State Normal School,

Was taken from the table and referred to committee of the whole.

On motion of Mr. Gould,

Joint resolution relative to refunding moneys twice paid for certain primary school lands,

Was taken from the table and ordered to be read a third time, was so read, and passed by a two-thirds vote of all the Senators elect, as follows :

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. McNaughton,
Beeson,	Harris,	Newberry,
Clarke,	Hickok,	Paddock,
Curtenius,	Kent,	Pierce,
Dickey,	Leonard,	Russell,
Gardner,	Lyon,	Smith,
Gould,	Moore,	Stowell,
Griswold,	McCauley,	Twombly,
Hall,		

25

NAYS:

Mr. Fralick,	1
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Mr. Griswold moved an adjournment,

But the Senate refused to adjourn, as follows:

YEAS.

Mr. Gould,	Mr. Leonard,	Mr. Smith,
Griswold,	Lyon,	Stevens,
Hall,	Paddock,	Twombly,
Harris,	Russell,	Wright,
Hixson,		

13

NAYS:

Mr. Arzeno,	Mr. Gardner,	Mr. McNaughton,
Beeson,	Goodrich,	Newberry,
Clarke,	Harrington,	Pierce,
Curtenius,	Hickok,	Snow,
Dickey,	Kent,	Stowell,
Fralick,	Moore,	

17

On motion of Mr. McNaughton,

Resolved, That the committee on printing be requested to inform the Senate if the Governor's message in Dutch and German is ready for the use of the Senate.

On motion,

The Senate adjourned.

Lansing, February 3, 1883.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Chatfield.

Roll called; a quorum present.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Fralick: of H. B. Holbrook, W. N. Aldrich and 119 others, legal voters, and 37 others, not legal voters, of Wayne county, asking for the passage of a law prohibiting the traffic in intoxicating beverages, similar to the Maine law.

Laid on the table.

By Mr. Lyon: of sundry citizens of the towns of Cascade and Ada, in the county of Kent, asking for the alteration of the boundaries of said towns.

Referred to the committee on the division of towns and counties.

By Mr. Lyon: of W. D. Foster, J. Morrison and others, citizens of Grand Rapids, asking the passage of a general railroad law.

Laid on the table.

By Mr. Griswold: of J. M. Howard and others, for amendments proposed to the charter of the city of Detroit.

Laid on the table.

By Mr. Griswold: of D. J. Campau and 65 others, to amend tax laws relative to the city of Detroit.

Referred to the committee on finance.

REPORTS OF STANDING COMMITTEES.

Mr. Griswold, from the judiciary committee, reported back

A bill to provide for the construction of a ship canal around the Falls of St. Mary's,

With the House amendments thereto, and recommended that the Senate concur in all the amendments except the last, and that the Senate do not concur in that.

The report was accepted and the committee discharged.

The 1st, 2d, 3d, 4th, 5th, 6th and 8th amendments to the bill were then concurred in, by the following vote:

YEAS:

Mr. Arzeno,
Beeson,

Mr. Hall,
Harrington,

Mr. Pierce,
Russell,

Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Gould,
Griswold,

Johnson,
Leonard,
McCauley,
McNaughton,
Newberry,
Paddock,

Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

25

NAYS:

Mr. Hickok,

Mr. Hixson,

Mr. Kent,

3

The 7th amendment was then concurred in, by the following vote:

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Johnson,
Kent,
Leonard,
Lyon,

Mr. McCauley,
Paddock,
Pierce,
Russell,
Smith,
Stevens,
Twombly,

22

NAYS:

Mr. Beeson,
Hickok,

Mr. Hixson,
Moore,

Mr. McNaughton,
Stowell,

6

The 9th amendment was non-concurred in by the following vote:

YEAS:

Mr. Newberry,

1

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Moore,
McCauley,

Mr. McNaughton,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Twombly,
Wright,

24

The bill as thus amended was then ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Harrington, from the committee on public lands, reported back the petition of John Barney and others, asking the appropriation of certain swamp lands for the construction of a plank road, adverse to the prayer of the petitioners, and asking to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the petition laid on the table.

Mr. Harrington, from the committee on public lands, also reported

A bill authorizing and requiring the commissioner of the State Land Office to issue new certificates for Normal school lands in certain cases,

Which was read twice, the rules suspended and the bill ordered to be read a third time, was so read and passed by the following vote :

YEAS.

Mr. Clarke,	Mr. Hickok,	Mr. Paddock,	
Curtenius,	Hixson,	Russell,	
Gould,	Kent,	Snow,	
Griswold,	Leonard,	Smith,	
Hail,	Lyon,	Stevens,	
Harrington,	McCauley,	Twombly,	
Harris,	McNaughton,	Wright,	21

NAYS.

Mr. Dickey,	Mr. Gardner,	Mr. Pierce,	
Fralick,	Newberry,	Stowell,	6

Mr. Griswold, from the judiciary committee, reported

A bill to repeal an act entitled an act to incorporate the St. Mary's canal company, approved March 17, 1847.

Also,

A joint resolution authorizing the board of State Auditors to settle with individuals who have made loans from the school and university fund.

The bill and joint resolution were severally read twice and laid upon the table.

Mr. Gould, from the judiciary committee, reported back

House bill No. 54, providing for the allowance of costs in certain cases,

Recommended its passage and asked leave to be discharged from its further consideration.

The report was accepted, the committee discharged.

The bill was then laid on the table

Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend the charter of the Pontiac and Genesee Railroad Company,

With amendments in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged.

The first amendment, as follows, was concurred in :

Amend section 2, by striking out all after the word "Genesee," in line 5, to and including the word "Mason," in line 6.

The second amendment as follows:

Amend section 3, by striking out all after the word "authority," in the second line, and all of lines three, four and five, and to and including the word "also," in line 6,

Was concurred in by the following vote:

YEAS :

Mr. Beeson,	Mr. Hall,	Mr. Russell,	
Clarke,	Harrington,	Smith,	
Fralick,	Harris,	Stowell,	
Goodrich,	Lyon,	Twombly,	
Gould,	McCauley,	Wright,	17
Griswold,	Newberry,		

NAYS :

Mr. Arzeno,	Mr. Johnson,	Mr. Paddock,	
Gardner,	Kent,	Snow,	
Hickok,	Leonard,	Stevens,	
Hixson,			10

The third amendment as follows, was concurred in:

Amend section 5, by striking out of line 4, the figures 1856, and inserting in lieu thereof 1855.

The bill was ordered to be read a third time by the following vote:

YEAS :

Mr. Clarke,	Mr. Hall,	Pierce,	
Curtenius,	Harrington,	Russell,	
Dickey,	Harris,	Smith,	
Fralick,	Lyon,	Stowell,	
Goodrich,	McCauley,	Twombly,	
Gould,	Newberry,	Wright,	
Griswold,			19

NAYS :

Mr. Arzeno,	Mr. Johnson,	Mr. McNaughton,
Gardner,	Kent,	Paddock,

Hixson,
Hickok,

Leonard,
Moore,

Snow,
Stevens, 12

Mr. Arzeno moved to lay the bill on the table.

Lost by the following vote:

YEAS :

Mr. Arzeno, Beeson, Gardner, Hickok, Hixson,	Mr. Johnson, Kent, Leonard, Moore, McNaughton,	Mr. Newberry, Paddock, Snow, Stevens,	14
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NAYS :

Mr. Clarke, Curtenius, Dickey, Fralick, Goodrich, Gould,	Mr. Griswold, Hall, Harrington, Harris, Lyon, McCauley,	Mr. Pierce, Russell, Smith, Stowell, Twombly, Wright,	18
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The bill was read a third time, and the question being on its final passage, it was lost, two-thirds of all the Senators elect not voting therefor, as follows:

YEAS :

Mr. Clarke, Curtenius, Dickey, Fralick, Goodrich, Gould, Griswold,	Mr. Hall, Harrington, Harris, Lyon, McCauley, Newberry,	Mr. Pierce, Russell, Smith, Stowell, Twombly, Wright,	19
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NAYS :

Mr. Arzeno, Beeson, Gardner, Hickok, Hixson,	Mr. Johnson, Kent, Leonard, Moore,	Mr. McNaughton, Paddock, Snow, Stevens,	13
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Mr. Griswold moved to reconsider the vote by which the bill was lost.

Carried by the following vote:

YEAS.

Mr. Beeson, Clarke, Curtenius, Dickey, Fralick,	Mr. Harrington, Harris, Hixson, Johnson, Leonard,	Mr. Newberry, Paddock, Pierce, Russell, Snow,
-------------------------------------------------------------	---------------------------------------------------------------	-----------------------------------------------------------

Gardner,
Goodrich,
Griswold,
Hall,

Lyon,
Moore,
McCauley,
McNaughton,

Smith,
Stowell,
Twombly,
Wright,

27

NAYS.

Mr. Hickok,

Mr. Kent,

2

On motion of Mr. Griswold,

The bill was laid upon the table.

The Senate then adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

MESSAGES.

The President, by consent, announced the following :

ATTORNEY GENERAL'S OFFICE, }
Lansing, February 1, 1853. }

To the Hon. the Senate:

I have the honor to acknowledge the receipt of the resolution adopted by the Senate, requesting an opinion in writing, whether commissioners of highways have power under existing laws to lay out, alter, or discontinue private roads.

Upon a careful examination of the statutes now in force, prescribing the powers and duties of highway commissioners, I can find no provision of law conferring upon those officers any authority whatever over private roads. The enactments of the revised statutes of 1838 were not incorporated in the revision of 1846, and there appears to have been no legislation upon the subject since that time. The right to lay out private roads cannot be inferred from any general powers with which commissioners are clothed, as the extent of their authority is defined and limited by statute. I am therefore clearly of the opinion that the commissioners of highways do not possess the power contemplated in the resolution.

WILLIAM HALE,

Attorney General.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 2, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

The bill to amend section 49, chapter 154 of the revised statutes of 1846,

And to respectfully inform you that the House have non-concurred in the Senate substitute therefor.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

On motion of Mr. Snow,

The senate insisted upon their amendment.

On motion of Mr. Snow,

The committee of the whole were discharged from the further consideration of

A bill to amend an act to incorporate the president, directors and company of the Farmers' & Merchants' Bank of Ann Arbor.

The bill being under consideration,

Mr. Fralick moved to amend in line 10 of section 7, by striking out "thirty," and inserting "twenty," which prevailed.

The bill was ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
McCauley,

Mr. McNaughton,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,

25

NAYS:

Mr. Moore,

Mr. Newberry,

Mr. Pierce,

3

On motion of Mr. Moore,

The Senate went into committee of the whole upon the Asylum bill, the Agricultural School bill, the Normal School bill, and the bill making appropriations in aid of the State Agricultural Society,

Mr. Paddock in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back

A bill in aid of the Michigan Asylums, and

A bill to establish an Agricultural School,

With an amendment to the last named, in which the concurrence of the Senate was asked, and from both which the committee ask to be discharged.

The report was accepted, the committee discharged, and the bills laid on the table.

Mr. McCauley gave notice that he would on some future day ask leave of the Senate to introduce,

A joint resolution for the relief of Alman Whipple.

By consent, the President announced the following message:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 3, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House insist on the 9th amendment to

A bill to provide for the construction of a ship canal around the Falls of St Mary's ;

And have appointed Messrs. Strang, Burt and Bates, a committee of conference on the part of the House, on the disagreement between the two Houses, and respectfully request the appointment of a like committee by the Senate.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

On motion,

Senators Griswold, Curtenius and Kent, were appointed a committee of conference on the part of the Senate.

On motion,

The Senate adjourned.

Lansing, February 4, 1883.

The President called the Senate to order.

Prayer by the Rev. Mr. Chatfield.

Roll called ; a quorum present.

The journal of preceding day was read and approved.

PETITIONS PRESENTED.

By Mr. Stowell : of John R. Grout and 61 others for the establishment of a chair of homeopathy in the medical department of the State University.

Referred to committee on education.

By Mr. McNaughton : of B. Porter for relief.

Referred to committee on State affairs.

Mr. Stevens : of D. O. Dodge and 82 others for the passage of the general rail road law.

Referred to committee on incorporations.

Mr. Moore : of Thomas M Cobb and 24 others of Ingham county ; of W. Lamson and 30 others ; of B. Sanford and 9 others ; of J. S. Lapham and 49 others ; of J. D. Webster and 12 others ; and of Morris Kinney and 8 others of Washtenaw county ; of I. B. Crippen, L. N. Y. Wilson and 7 others, of Branch county ; of C. F. Bellows and 26 others of Calhoun and Kalamazoo counties ; of John P. Cook and 80 others ; and of S. R. Smith and 93 others of Hillsdale county ; of S. V. R. Trowbridge and 8 others and E. W. Peck and 6 others of Oakland county ; of J. M. Gillman and 16 others, of Lenawee county ; of L. M. McBride and 7 others ; and of Prof. Ide Riggle and 67 others of Monroe county ; of Nathan J. Brown and 10 others ; of W. D. Elliott and 8 others ; of M. D. Osborn and 3 others, of Wayne county ; of I. D. Ross and 7 others of St. Joseph, asking an appropriation in aid of the State Normal School.

Laid on the table.

REPORTS OF COMMITTEES.

Mr. Griswold, from the committee of conference, upon the disagreement between the two Houses, upon the St. Mary's Canal bill, made the following report :

The committee of conference of the two Houses, to whom was referred House amendment No. 9, of the Senate bill No. 21, entitled

A bill to provide for the construction of a ship canal around the Falls of St. Mary,

Beg leave to report, that they have had said amendment under consideration, as well as the refusal of the Senate to concur therein, and they have agreed upon a substitute for said House amendment No. 9, which they report herewith, recommend that it pass, and ask to be discharged from the further consideration of the subject.

GEO. R. GRISWOLD,

Chairman Senate Com.

JAMES J. STRANG,

Chairman House Com.

The report was accepted, the committee discharged.

The substitute of the committee of conference for House amendment No. 9, as follows :

Sec. 11. The said commissioners, in entering into the contract for the construction of said canal, shall provide that the railroad at present existing across the Portage, be in no way unnecessarily interrupted during the progress of the work ; and said commissioners shall have power to decide the necessity of any interruption ; and the said commissioners may, at the expense of said railroad company, relocate said railroad if they shall deem it necessary, to aid and promote the construction of said canal,

Was concurred in by the following vote:

YEAS :

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Beeson,	Harrington,	Newberry,	
Curtenius,	Harris,	Paddock,	
Dickey,	Johnson,	Pierce,	
Fralick,	Kent,	Russell,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	27

NAYS :

Mr. Hickok,	Mr. Hixson,	2
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The bill as amended was then ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. Moore, from the committee on education, reported back

A bill supplementary to the common school law,

Accompanied by a written report.

The report was accepted and the committee discharged.

The report was read, the report and bill were laid on the table and ordered printed.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

The bill ceding jurisdiction to the United States over lot No. 1, section 34, in township No. 22 north of range 8 east; and

The bill to amend section 1 of an act entitled an act to incorporate the village of Hillsdale, passed April 1, 1850,

And to respectfully inform the Senate that the House have passed the first named with an amendment, and concurred in the Senate substitute for the last, with an amendment, by a vote of two-thirds of all the members elect, and ordered by a like vote, that the last named take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The House amendment to the first named bill was then concurred in by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Smith,
Stevens,
Stowell,
Wright,

26

NAYS:

Mr. Harrington,

1

And the bill as amended was ordered to take immediate effect, by a vote of two-thirds of all the Senators elect, and ordered to be enrolled.

The House amendment to the Senate substitute for the second named bill was then concurred in by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Beeson,	Mr. Harrington,	Mr. Newberry,
Clarke,	Harris,	Padlock,
Curtenius,	Hickok,	Pierce,
Dickey,	Hixson,	Snow,
Fralick,	Johnson,	Smith,
Gardner,	Kent,	Stevens,
Goodrich,	Leonard,	Stowell,
Gould,	McCanley,	Twombly,
Hall,	McNaughton,	Wright,

27

NAYS:

8

And by a like vote the bill was ordered to take immediate effect.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A joint resolution relative to the Chippewa Indians,

Which the House have passed, and respectfully ask the concurrence of the Senate therein.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolution was then read twice and referred to the committee on State affairs.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill preventing the manufacture of intoxicating beverages and the traffic therein,

Which the House have passed, and in which the concurrence of Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill was read twice and referred to the select committee on that subject.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Russell, according to previous notice, asked and obtained leave to introduce

A bill to amend section 25 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851.

The bill was read twice and referred to the committee on roads and bridges.

On motion of Mr. McNaughton,

Resolved, That the petitions of J. B. Eaton and others, for the release of certain prisoners, be taken from the table and referred to a select committee of three.

The President announced the following Senators as that committee:

Messrs. McNaughton, Stowell and Arzeno.

Mr. Johnson, pursuant to previous notice, leave being granted, introduced

A bill to incorporate the village of Zilwaukie, in the county of Saginaw.

The bill was twice read, laid on the table and ordered printed.

Mr. Johnson gave notice that he would at some future day ask leave to introduce

A bill to amend an act entitled an act to incorporate the Mackinaw and Lake Superior Mining company, approved April 3d, 1848.

On motion of Mr. Clarke,

A bill to amend an act to incorporate the Native Copper company, approved March 31, 1849,

Was taken from the table, ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Beeson,	Harrington,	Paddock,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hickok,	Russell,	
Dickey,	Johnson,	Smith,	
Fralick,	Kent,	Stevens,	
Gardner,	Leonard,	Stowell,	
Goodrich,	Lyon,	Twombly,	
Gould,	McCauley,	Wright,	
Griswold,			28

NAYS:

0

And by a like vote was ordered to take immediate effect.

On motion of Mr. Griswold,

A bill to amend the charter of the city of Detroit,

Was taken from the table, ordered to be read a third time and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Beeson,	Mr. Hall,	Mr. McCauley,	
Clarke,	Harrington,	McNaughton,	
Curtenius,	Harris,	Newberry,	
Dickey,	Hickok,	Paddock,	
Fralick,	Johnson,	Pierce,	
Gardner,	Kent,	Smith,	
Goodrich,	Leonard,	Stevens,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	27

NAYS:

0

And by a like vote was ordered to take immediate effect.

Mr. Smith, unanimous consent being given, introduced

A bill to amend an act entitled an act to incorporate the village of Romeo,

Which was read twice, the rules were suspended and the bill ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,
Beeson,	Harrington,	Newberry,
Clarke,	Harris,	Paddock,

Ourtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Hickok,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Pierce,
Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright, 30

NAYS:

0

On motion of Mr. Hall,

Senate bill No. 69, to provide for the erection of a prison for the purposes of solitary confinement, and making an appropriation therefor, was taken from the table and referred to the committee of the whole.

Mr. Griswold moved to take from the table,

House bill to amend sections 3, 9, 18, 19 and 20, of an act entitled

An act relative to plank roads, approved March 13, 1848, and to add five new sections to stand as sections 25, 26, 27, 28 and 29, which was carried, and he asked and obtained leave to offer an amendment, as follows:

Amend bill by adding new section to stand as section 6:

Sec. 6. There shall be added to said act a new section to stand as section 30, as follows:

Sec. 30. Any plank road company organized under the provisions of this act, shall be subject to the provisions of all amendments made or to be made thereto, whenever the assent of any such company certified by the president and secretary thereof to the provisions of such amendments shall be filed in the office of the Secretary of State.

Which amendment was adopted.

The amendment was ordered engrossed and the bill to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Ourtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,

Mr. Newberry,
Paddock,
Pierce,
Snow,
Stevens,
Stowell,
Twombly,
Wright,

NAYS:

25
0

And by a like vote ordered to take immediate effect.

On motion of Mr. Lyon,

House bill No. 5, for the relief of James Waters, was taken from the table, ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Paddock,
Beeson,	Harris,	Pierce,
Curtenius,	Hickok,	Russell,
Dickey,	Hixson,	Snow,
Fralick,	Johnson,	Smith,
Gardner,	Kent,	Stevens,
Goodrich,	Lyon,	Stowell,
Griswold,	McNaughton,	Twombly,
Gould,	Newberry,	Wright,
Hall,		

28

NAYS:

0

And the same was ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Fralick moved to take from the table House bill No. 23, to provide for taking the census and statistics of the State, and the Senate census bill.

Mr. Harrington moved to amend, by taking up the Universalist church bill,

Lost.

The question recurring upon Mr. Fralick's motion, the same was adopted.

Mr. Gould moved to re-commit the bill to the committee on State affairs, which was lost, by the following vote:

YEAS:

Mr. Gould,	Mr. Lyon,	Mr. Snow,
Harrington,	McCauley,	Stevens,
Harris,	Russell,	

8

NAYS:

Mr. Arzeno,	Mr. Griswold,	Mr. Newberry,
Beeson,	Hall,	Paddock,
Clarke,	Hickok,	Pierce,
Curtenius,	Hixson,	Smith,
Dickey,	Johnson,	Stowell,
Fralick,	Kent,	Twombly,
Gardner,	Leonard,	Wright,
Goodrich,	McNaughton,	

23

Mr. Gould moved to lay the bills on the table.

Lost.

Mr. Arzeno moved the previous question.

Pending which,

Mr. McCauley moved to adjourn; which was lost.

The question recurring upon Mr. Arzeno's motion, the previous question was not ordered, as follows, two-thirds not voting in the affirmative:

YEAS:

Mr. Arzeno,	Mr. Johnson,	Mr. Pierce,	
Beeson,	Kent,	Snow,	
Curtenius,	Leonard,	Smith,	
Fralick,	McNaughton,	Twombly,	
Gardner,	Newberry,	Wright,	
Hall,	Paddock,		17

NAYS:

Mr. Dickey,	Mr. Harris,	Mr. McCauley,	
Goodrich,	Hickok,	Russell,	
Gould,	Hixson,	Stevens,	
Griswold,	Lyon,	Stowell,	
Harrington,	Moore,		14

Mr. Stowell moved to amend so as to give the board of supervisors power to appoint the marshals, which was lost by the following vote:

YEAS:

Mr. Clarke,	Mr. Lyon,	Mr. Smith,	
Gould,	McCauley,	Stevens,	
Harrington,	Russell,	Stowell,	
Harris,			10

NAYS.

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Beeson,	Hickok,	Newberry,	
Curtenius,	Hixson,	Paddock,	
Dickey,	Johnson,	Pierce,	
Fralick,	Kent,	Snow,	
Goodrich,	Leonard,	Twombly,	
Griswold,	Moore,	Wright,	21

Mr. Harris moved to add to section 12 the following: "Who shall receive such compensation as the board of supervisors of the organized county to which such unorganized territory is attached for judicial purposes, shall allow.

Carried.

Mr. McCauley moved to adjourn until 2 o'clock.

Lost.

Mr. Harrington moved that the marshals for the following counties be appointed by the Governor, viz: Michilimackinac, Grand Traverse, Mason, Oceana, Tuscola, Huron, Manistee, and the counties in the Upper Peninsula, and shall be entitled to receive one hundred dollars each for the performance of their duties."

Mr. Hickok moved to amend by adding, "all the organized counties of the State."

Which was lost by the following vote:

YEAS:

Mr. McCauley,	Mr. McNaughton,	Mr. Stowell,	3
---------------	-----------------	--------------	---

NAYS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Paddock,	
Curtenius,	Hixson,	Pierce,	
Dickey,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,			25

Mr. Stowell moved to amend so as to provide that all the marshals contemplated in this bill shall be elected in the various organized townships in this State at the spring election in 1854, as other township officers.

Lost.

Mr. Gould moved to add to the bill Senate bill No. 9.

Lost.

The question being upon the amendment offered by Mr. Harrington,

Mr. Griswold moved the previous question,

Which was ordered by the following two-thirds vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Paddock,
Beeson,	Hickok,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Moore,	Twombly,

Goodrich,
Griswold,

McNaughton,
Newberry,

Wright,

23

YEAS :

Mr. Clarke,
Gould,
Harrington,

Mr. Harris,
Hixson,
Lyon,

Mr. McCauley,
Stevens,
Stowell,

9

The main question being under the decision of the chair, upon ordering the bill to be read a third time, the bill being House bill No. 23, to provide for taking the census and statistics of this State, the question was taken thereon, and the bill ordered to be read a third time, was so read and passed by the following vote:

NAYS :

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Griswold,
Hall,

Mr. Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McNaughton,
Newberry,
Paddock,
Pierce,
Snow,
Smith,
Twombly,
Wright,

25

NAYS:

Mr. Harrington,
McCauley,

Mr. Russell,
Stevens,

Mr. Stowell,

5

On motion,

The Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

MESSAGES.

By consent, the following message was announced:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 4, 1853. }

To the President of the Senate:

Sir—I am instructed by the House of Representatives to transmit to the Senate,

A bill to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw :

A joint resolution relative to stationery ; and

Concurrent resolution for the final adjournment of this Legislature,

All which the House have passed, the bill by a vote of two-thirds of all the members elected, and by the same vote ordered that it take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

I am further instructed to inform the Senate that the House respectfully adhere to their non-concurrence in the Senate's substitute for the bill to amend section 49, of chapter 154, of the revised statutes of 1846, and have appointed Messrs. Ransom, Norton and Gale a committee of conference on the part of the House, on the disagreement of the two Houses, and respectfully request the appointment of a like committee by the Senate.

Very Respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill and joint resolution were severally read twice, and the bill and first named joint resolution were referred to the committee on finance.

The second named resolution being under consideration,

Mr. Johnson moved a call of the Senate, which was ordered as follows :

YEAS:

Mr. Beeson,	Mr. Griswold,	Mr. Pierce,	
Clarke,	Harris,	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Leonard,	Smith,	
Gardner,	Moore,	Stevens,	
Goodrich,	Paddock,	Twombly,	18

NAYS:

Mr. Curtin,	Mr. Kent,	Mr. McNaughton,	
Hall,	Lyon,	Newberry,	
Hixson,			7

- Roll called, and Senators Harrington, Hickok, McCauley and Stowell were reported absent without leave.

The sergeant-at-arms was directed to procure the attendance of the absentees, when

On motion of Mr. Goodrich,

All further proceedings under the call were dispensed with.

On motion of Mr. Gould,

The rule was suspended so that the resolution might be read a third time by a two-thirds vote as follows :

YEAS :

Mr. Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harris,
Hickok,
Hixson,
Kent,
Lyon,
Moore,

Mr. McCauley,
Newberry,
Pierce,
Russell,
Smith,
Stowell,
Twombly,

22

NAYS :

Mr. Arzeno,
Clarke,
Johnson,

Mr. Leonard,
Paddock,

Mr. Snow,
Stevens,

7

The resolution was ordered to be read a third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno,
Berson,
Curtenius,
Dickey,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harris,
Hickok,
Hixson,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Pierce,
Russell,
Snow,
Smith,
Stowell,
Twombly,

23

NAYS :

Mr. Clarke,
Fralick,
Johnson,

Mr. Kent,
McNaughton,

Mr. Paddock,
Stevens,

7

On motion of Mr. Smith,

The committee of the whole were discharged from the further consideration of

A bill to repeal sections 7, 8, 9, 10, 11, and 12 of an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849.

The bill being under consideration,

On motion of Mr. Gould,

The last section was stricken out.

Mr. Gould offered as a substitute for the bill, Senate bill No 76.

Mr. Snow moved to amend the substitute, by striking out "five," and inserting "two," in line 7, of section 8.

A division of the question was called for, when

On motion of Mr. Twombly,

The whole subject was indefinitely postponed.

Mr. McCauley, pursuant to notice, leave being granted, introduced

A joint resolution for the relief of Almon Whipple.

The same was read twice, the rule suspended, the resolution was ordered to be read a third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

32

NAYS :

0

The same was ordered to take immediate effect by a vote of two thirds of all the Senators elect.

Mr. Moore moved to go into committee of the whole on the Normal School bill.

Mr. Goodrich moved to amend so as to take the Asylum bill and the Agricultural School bill from the table,

Which prevailed, as follows:

YEAS.

Mr. Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,

Mr. Griswold,
Harrington,
Harris,
Hixson,
Lyon,
McCauley,

Mr. McNaughten,
Newberry,
Russell,
Smith,
Stowell,
Wright,

18

NAYS :

Mr. Arzeno,
Beeson,

Mr. Kent,
Leonard,

Mr. Pierce,
Snow,

Dickey,
Hickok,
Johnson,

Moore,
Paddock,

Stevens,
Twombly,

13

The bills were accordingly taken from the table.

On motion of Mr. Stowell,

The Asylum bill was laid on the table.

Mr. Dickey moved that the Agricultural School bill be indefinitely postponed.

Lost as follows:

YEAS:

Mr. Beeson,
Clarke,
Dickey,
Fralick,

Mr. Hixson,
Johnson,
Kent,
Leonard,

Mr. Newberry,
Pierce,
Snow,

11

NAYS:

Mr. Curtenius,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Lyon,
Moore,
McCauley,
McNaughton,
Paddock,

Mr. Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

20

Mr. Johnson moved to lay the bill on the table.

But the motion did not prevail.

The question then being upon concurring in the amendments made in committee of the whole, the first amendment being to strike out of line 2, in section 2, the words "Legislature in joint convention assembled," and insert "Senate," was concurred in.

The second amendment being to fill the blank in line 1 of section 4, with "ten thousand,"

Mr. Harrington moved to strike out "ten," and insert "five."

Mr. McCauley moved to amend by inserting "six."

A division of the question was called for, and taken on striking out, and lost, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Fralick,
Hall,
Harrington,

Mr. Hixson,
Leonard,
Newberry,
Paddock,

Mr. Snow,
Stowell,
Twombly,
Wright,

13

NAYS:

Mr. Clarke, Dickey, Gardner, Goodrich, Gould, Griswold,	Mr. Harris, Hickok, Johnson, Kent, Lyon, Moore,	Mr. McCauley, McNaughton, Pierce, Russell, Smith, Stevens,	18
------------------------------------------------------------------------	----------------------------------------------------------------	---------------------------------------------------------------------------	----

The amendment was then concurred in.

Mr. Pierce moved to strike out all after section 3, and insert the following:

Sec. 4. The said board of trustees shall have power to select one of the twenty-two sections of salt spring lands, and when so selected, to notify the Commissioner of the State Land Office of such selection, who is hereby required to mark said section as reserved from sale.

Sec. 5. The said trustees shall have power to enter upon the section of land, and operate, clear, improve, cultivate and occupy the same for agricultural model farms, and erect the necessary buildings to do the business anticipated on said farms.

Sec. 6. All the remaining 21 sections of salt spring lands, and the fund accruing from the sale of said lands, is hereby appropriated to be used and applied for and toward the support of said section of land so selected, in erecting buildings, setting out fruit trees, building walks, and erecting gates and other fixtures.

But the same did not prevail, as follows:

YEAS:

Mr. Arzeno, Beeson, Dickey, Fralick,	Mr. Hixson, Johnson, Kent, Newberry,	Mr. Pierce, Snow, Wright,	11
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NAYS:

Mr. Clarke, Curtenius, Gardner, Goodrich, Gould, Griswold, Hall,	Mr. Harrington, Harris, Hickok, Leonard, Lyon, McCauley,	Mr. McNaughton, Paddock, Russell, Smith, Stowell, Twombly,	19
------------------------------------------------------------------------------------	-------------------------------------------------------------------------	---------------------------------------------------------------------------	----

The bill was ordered to be read a third time, by the following vote:

YEAS:

Mr. Clarke, Curtenius, Goodrich, Gould, Griswold, Hall,	Mr. Harris, Hickok, Lyon, Moore, McCauley, McNaughton,	Mr. Paddock, Russell Smith, Stevens, Stowell, Twombly,	18
------------------------------------------------------------------------	-----------------------------------------------------------------------	-----------------------------------------------------------------------	----

NAYS:

Mr. Arzeno, Beeson, Dickey, Fralick, Harrington,	Mr. Hixson, Johnson, Kent, Leonard,	Mr. Newberry, Pierce, Snow, Wright,	13
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Mr. Snow moved to lay the bill on the table.

Lost, as follows:

YEAS:

Mr. Arzeno, Beeson, Fralick, Hall,	Mr. Harrington, Hixson, Johnson, Leonard,	Mr. Newberry, Snow, Wright,	11
---------------------------------------------	----------------------------------------------------	-----------------------------------	----

NAYS:

Mr. Clarke, Curtenius, Dickey, Goodrich, Gould, Griswold, Harris,	Mr. Hickok, Kent, Lyon, Moore, McCauley, McNaughton, Paddock,	Mr. Pierce, Russell, Smith, Stevens, Stowell, Twombly	20
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The bill was then read the third time and passed, by the following vote:

YEAS:

Mr. Curtenius, Goodrich, Gould, Griswold, Hall, Harris,	Mr. Hickok, Lyon, Moore, McCauley, McNaughton, Paddock,	Mr. Russell, Smith, Stevens, Stowell, Twombly,	17
------------------------------------------------------------------------	------------------------------------------------------------------------	------------------------------------------------------------	----

NAYS:

Mr. Arzeno, Beeson, Clarke, Dickey, Fralick,	Mr. Harrington, Hixson, Johnson, Kent, Leonard,	Mr. Newberry, Pierce, Snow, Wright,	14
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On motion.

The Senate adjourned.

Lansing, February 5, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Clarke.

Roll called; a quorum present.

The reading of the journal of the preceding day was dispensed with, and the same was approved.

PETITIONS.

By Mr. McCauley: of D. Hinman and 84 others, of Howell, Livingston county, for the establishment of a chair of Homœopathy in the medical department of the State University.

Referred to the committee on education.

By Mr. Griswold: the claims of Edward Kantee and E. N. La Croix, for services in translating the Governor's message into the German and French languages.

Referred to committee on claims.

By Mr. Hickok: of Joseph P. Hall and 144 others, not to authorize the re-locating of the Clinton road, in the county of Eaton.

Referred to the committee on roads and bridges.

By same: of T. D. Green and others; of Silvanus Hansiker and others, for the passage of a general railroad law.

Laid on the table.

By Mr. Dickey: of J. Burgess and 163 others, of Marshall, for the passage of a law similar to the Maine liquor law.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Snow, from the committee on finance, reported back

A bill to extend the time for the collection of taxes in the township of Bridgeport in the county of Saginaw,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Benson,
Clarke,
Curtenius,

Mr. Harris,
Hickok,
Hickson,
Johnson,

Mr. McCauley,
Russell,
Snow,
Smith,

Fralick,
Goodrich,
Gould,
Hall,
Harrington,

Kent,
Leonard,
Lyon,
Moore,

Stevens,
Stowell,
Twombly,
Wright,

25

NAYS:

Mr. Dickey,
Newberry,

Mr. Paddock,

Mr. Pierce,

4

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill ceding jurisdiction to the United States over lot No. 1, section 34, in township No. 22 north of range 8 east, also over two tracts of land on Lake St. Clair; also,

A bill to provide for the construction of a ship canal around the falls of St. Mary's;

And the same were signed and presented to the Governor for his approval.

Mr. Stowell, from the committee on State affairs, reported back

House joint resolution relative to the Chippewa Indians of Lake Superior,

Recommending its passage and asking to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the joint resolution ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Harrington,

Mr. Harris,
Hickok,
Hixon,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

34

NAYS:

0

Mr. Stowell, from same committee, also reported back the petition of B. Porter, for relief, accompanied by a joint resolution.

The joint resolution was read twice, and the petition and joint resolution were laid upon the table.

Mr. Kent, from the committee on expiring laws, reported

A bill to repeal an act entitled an act to incorporate the Cottonwood Swamp Turnpike Company, approved March 9, 1849;

Which was read twice and laid on the table.

Mr. Gould, from a majority of the judiciary committee, to whom was referred a memorial of the Directors of the Detroit and Maumee Railroad Company, submitted a report thereon in writing, accompanied by a bill, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read twice, the bill and report laid upon the table, and the bill ordered printed.

Mr. Snow, from the committee on finance, reported back

A joint resolution relative to stationery,

Without recommendation, and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the joint resolution laid upon the table.

Mr. McCauley, from the committee on the division of towns and counties, submitted the following report:

The committee on division of towns and counties, to whom was referred petitions and remonstrances relative to the alteration of certain townships in the county of Kent, have had the same under consideration, and have instructed me to report the same back to the Senate without any action, and ask to be discharged from its further consideration.

The report was accepted, and the committee discharged.

The petitions were laid upon the table.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES,
Lansing, February 4, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill relative to the surplus funds in the treasury, and

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee ;

Both which the House have passed by a two thirds vote, and ordered by a like vote that the last named take effect immediately ; in all which the concurrence of the Senate is respectfully asked.

I am also instructed to return to the Senate,

The bill to provide for the construction of a ship canal around the Falls of St. Mary :

And to respectfully inform the Senate that the House of Representatives have concurred in the report of the committee of conference on the disagreement between the two Houses on said bill, and adopted by a two-thirds vote of all the members elect, the substitute for the 9th House amendment, as follows, to wit :

“Sec. 11. The said commissioners, in entering into the contract for the construction of said canal, shall provide that the railroad at present existing across the Portage, be in no way unnecessarily interrupted during the progress of the work ; and said commissioners shall have power to decide the necessity of any interruption ; and the said commissioners may at the expense of said railroad company, re-locate said railroad, if they shall deem it necessary to aid and promote the construction of said canal.”

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The first named bill was read twice, the rules were suspended, and the same was ordered to be read a third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Frailick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

NAYS :

28

0

The bill was by a two-thirds vote of all the Senators elect, ordered to take immediate effect.

The second named bill was read twice.

A motion to lay the same on the table was lost.

Mr. Griswold moved to refer the bill to the judiciary committee.
Lost.

Mr. Snow moved to suspend the rules that the bill might be read a third time, which was lost, two-thirds of the Senators not voting therefor, as follows :

YEAS :

Mr. Arzeno,	Mr. Kent,	Mr. Paddock,	
Curtenius,	Leonard,	Pierce,	
Gardner,	Lyon,	Snow,	
Harris,	Moore,	Stevens,	
Hixson,	McNaughton,	Wright,	15

NAYS :

Mr. Beeson	Mr. Griswold,	Mr. Newberry,	
Dickey,	Hall,	Smith,	
Fralick,	Harrington,	Stowell,	
Goodrich	Hickok,	Twombly,	
Gould,			13

On motion of Mr. Kent,

The bill was laid upon the table.

The following message was received from the Governor :

EXECUTIVE OFFICE, }
Lansing, February 5, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the construction of a ship canal around the Falls of St. Mary.

R. McCLELLAND.

Also the following from the House:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1853. }

To the President of the Senate:

SIR :—I am instructed by the House of Representatives to return to the Senate,

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal school lands in certain cases :

In which the House have concurred by a two-thirds vote, and by a like vote have ordered to take effect immediately, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill was ordered to take immediate effect by a two-thirds vote of all the Senators elect, and the President ordered the same to be enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House have concurred in the amendments of the Senate to

A bill to amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 3, 1848; and to

A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes,

And have ordered the same as amended, severally enrolled.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

Mr. Fralick, from the committee upon that subject, by consent, reported back

House bill prohibiting the manufacture of intoxicating beverages and the traffic therein,

With amendments, in which the concurrence of the Senate was asked, with a report in writing, and from which the committee asked to be discharged.

The report was accepted, the committee discharged, and the report laid on the table and ordered printed, with 500 extra copies.

The amendments being to strike out sections 18, 19 and 20, and insert a new section to stand as section 18, were debated some time, when

On motion,

The Senate adjourned until 2 o'clock P. M.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The Senate resumed the consideration of House bill No. 33.

The question being upon concurring in the amendments reported by the select committee, a division of the question was called for, and pending the question on striking out,

Mr. Griswold moved to consider the bill and amendments as in committee of the whole.

Which prevailed, as follows:

YEAS :

Mr. Arzeno,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Snow,
Stevens,
Stowell,
Twombly,
Wright,

19

NAYS :

Mr. Beeson,
Curtenius,
Dickey,
Gardner,

Mr. Hixson,
Johnson,
Kent,

Mr. McNaughton,
Paddock,
Pierce,

10

And the Senate proceeded to consider the bill accordingly.

After some time spent thereon, the bill was reported back to the Senate, with amendments, in which the concurrence of the Senate was asked.

The first amendment, as follows:

Strike out in section 18, line 1, all after the word "rejection," down to and including the word "Legislature," in line 2, and insert

the words "at an election to be held in the several townships, cities and villages of this State, on the first Saturday of July next,"

Was concurred in by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Russell,	
Beeson,	Harris,	Snow,	
Clarke,	Hixson,	Smith,	
Curtenius,	Leonard,	Stevens,	
Gould,	Lyon,	Stowell,	
Griswold,	Moore,	Twombly,	
Hall,	Newberry,	Wright,	21

NAYS

Mr. Dickey,	Mr. Hickok,	Mr. McNaughton,	
Fralick,	Kent,	Paddock,	
Gardner,	McCauley,	Pierce,	
Goodrich,			10

The following amendments were also concurred in:

Strike out in section 20, line 5, the word "June," and insert the word "October." Also, strike out the word "October," in line 10, and insert the word "January."

Strike out "three," in line 10 of section 20, and insert "four."

The question then being upon striking out sections 18, 19 and 20, as amended,

Mr. Hickok moved a call of the Senate,

Which was ordered.

Roll called; Senator Johnson reported absent without leave.

The Sergeant-at-Arms was directed to procure the attendance of the absentee, when

On motion of Mr. McNaughton,

All further proceedings under the call were dispensed with.

The question recurring upon the motion to strike out, the same prevailed, by the following vote:

YEAS:

Mr. Beeson,	Mr. Goodrich,	Mr. McNaughton,	
Clarke,	Griswold,	Newberry,	
Curtenius,	Hickok,	Paddock,	
Dickey,	Kent,	Pierce,	
Fralick,	Lyon,	Smith,	
Gardner,	Moore,		17

NAYS :

Mr. Arzeno, Gould, Hall, Harrington, Harris,	Mr. Hixson, Johnson, Leonard, McCauley, Russell,	Mr. Snow, Stevens, Stowell, Twombly, Wright,	15
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Mr. Griswold moved to lay the bill on the table.

Lost, as follows:

YEAS :

Mr. Curtenius, Gould, Griswold, Hall, Harrington,	Mr. Harris, Johnson, Lyon, McCauley, Newberry,	Mr. Russell, Snow, Smith, Stowell, Twombly,	15
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NAYS :

Mr. Arzeno, Beeson, Clarke, Dickey, Fralick, Gardner,	Mr. Goodrich, Hickok, Hixson, Kent, Leonard, Moore,	Mr. McNaughton, Paddock, Pierce, Stevens, Wright,	17
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Mr. Snow moved to reconsider the vote on striking out.

Which prevailed, as follows:

YEAS:

Mr. Arzeno, Beeson, Clarke, Gould, Hall, Harrington,	Mr. Harris, Hixson, Johnson, Lyon, McCauley, Russell,	Mr. Snow, Smith, Stevens, Stowell, Twombly, Wright,	18
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NAYS:

Mr. Curtenius, Dickey, Fralick, Gardner, Goodrich,	Mr. Griswold, Hickok, Kent, Leonard, Moore,	Mr. McNaughton, Newberry, Paddock, Pierce,	14
----------------------------------------------------------------	---------------------------------------------------------	-----------------------------------------------------	----

On motion of Mr. Dickey,

The bill was laid upon the table.

Mr. Griswold moved to go into Executive session.

Lost.

On motion of Mr. Wright,

The Senate adjourned, by the following vote:

YEAS:

Mr. Arzeno,
Curtenius,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Kent,
Lyons,
McCauley,
McNaughton,

Mr. Paddock,
Russell,
Smith,
Stevens,
Stowell,
Wright,

19

NAYS:

Mr. Beeson,
Clarke,
Dickey,
Fralick,

Mr. Gardner,
Hixson,
Leonard,
Moore,

Mr. Newberry,
Pierce,
Snow,
Twembly,

12

Lansing, February 7, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Gosse.

Roll called ; a quorum present.

The reading of the journal was dispensed with, and the same was approved.

PETITIONS PRESENTED.

By Mr. Griswold: of D. B. Duffield and others, for the passage of bill now pending before the legislature, "relative to the deeds of married women."

Laid on the table.

By Mr. Paddock: of S. S. Brown and 10 others, legal voters of Jackson county, for the passage of a law similar to the Maine law.

Laid on the table.

By Mr. Dickey: of S. W. Dodge and 30 others, citizens of Battle Creek, for the establishment of a chair of Homœopathy in the State University.

Referred to committee on education.

By Mr. Lyons: of F. D. Richmond and 50 others, of F. D. Boardman and others, of Steward McCroy and others, of John L. Clements and 30 others, of John Stickney and 30 others, of Grand Rapids and Kent county, for a general rail road law.

Laid on the table.

REPORTS.

Mr. Arzeno, from the judiciary committee, read a minority report upon the memorial of the Detroit and Maumee Railroad Company.

The report was laid on the table, and the report, together with the majority report of said committee, were ordered printed.

Mr. Snow, from the committee on finance, reported

A joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate to Charles Chandler, administrator on the estate of James McDonald, deceased;

Which was read twice, when

On motion of Mr. Stowell,

A call of the Senate was ordered.

The roll was called, and Mr. Johnson was absent without leave.

The Sergeant-at-Arms was dispatched after the absentee, who shortly after appeared before the Senate, and rendered his excuse.

All further proceedings under the call were then dispensed with.

Mr. Snow moved to suspend the rules, that the joint resolution reported by him might be read a third time.

Lost.

The resolution was laid upon the table.

Mr. Arzeno, by leave of the judiciary committee, reported

A joint resolution relative to the deposit and investment of the general fund of the State of Michigan.

The same was twice read, laid on the table and ordered printed.

Mr. Hall, from the committee on State prison, made the following report:

The committee on State prison, to whom was referred the memorial of H. H. Bingham and seven others, assistant keepers of said prison, asking for an increase of salary, have had the same under consideration, and respectfully report said memorial back to the Senate, accompanied with a bill, recommend its passage and ask to be discharged therefrom.

The report was accepted, the committee discharged, the bill, being

A bill to amend sections 19, 21 and 41 of chapter 172 of the revised statutes of 1846, and to repeal section 3 of an act entitled an

act to amend chapter 172 of the revised statutes of 1846, approved April 3, 1848,

Was read twice, laid on the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill to provide for the discharging of record of certain mortgages, executed under the act entitled an act to organize and regulate banking associations;

Which was read twice, the rules were suspended, and the bill ordered to be read a third time, was so read and passed, by the following vote:

YEAS :

Mr. Arzeno,	Mr. Harris,	Mr. Paddock,	
Clarke,	Hixson,	Russell,	
Fralick,	Johnson,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Stevens,	
Griswold,	Moore,	Stowell,	
Hall,	McCauley,	Twombly,	
Harrington,	McNaughton,		23

NAYS :

Mr. Beeson,	Mr. Gardner,	Mr. Newberry,	
Curtenius,	Hickok,	Pierce,	
Dickey,	Kent,		8

The bill was then ordered by a two-thirds vote of all the Senators elect, to take immediate effect, as follows:

YEAS:

Mr. Arzeno,	Mr. Hixson,	Mr. Russell,	
Clarke,	Johnson,	Snow,	
Fralick,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Stowell,	
Griswold,	McCauley,	Twombly,	
Hall,	McNaughton,	Wright,	
Harrington,	Paddock,		23:

NAYS:

Mr. Beeson,	Mr. Gardner,	Mr. Newberry,	
Curtenius,	Hickok,	Pierce,	
Dickey,	Kent,		8.

Mr. Griswold, from the printing committee, reported

A joint resolution relative to the number of copies of the session laws required to be printed,

Which was read twice and laid upon the table.

Mr. Griswold, from the judiciary committee, reported

A bill to amend section 2 of an act entitled an act to incorporate the Minnesota Mining company, approved March 7, 1849 ;

Which was read twice and laid upon the table.

Mr. Hixson, from the committee on roads and bridges reported back

A bill to amend an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, without amendment, recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The bill was read a third time and passed by the following vote :

YEAS :

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,

Mr. McNaughton,
Newberry,
Paddock,
Pierce,
Russell,
Snow,
Stowell,
Twombly,
Wright,

28.

NAYS :

0

Mr. Hixson, from the committee on roads and bridges, reported

A bill to amend sections 1 and 2 of an act entitled an act to authorize the perfecting of the records of public highways and for other purposes, approved March 28, 1849, which was read twice and laid upon the table.

Mr. Clarke, from the committee on the St. Mary's Canal, reported

A bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Mary's, which was read twice and ordered printed.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal school lands in certain cases ;

And the same was signed and presented to the Governor for his approval.

SELECT COMMITTEES.

Mr. Snow, from the select committee to investigate and enquire into the alleged misapplication of \$84,000 of part-paid bonds, &c., made a report in writing.

The report was accepted, the committee discharged, and the report laid on the table and ordered printed.

MESSAGES.

The President announced the following :

EXECUTIVE OFFICE,
Lansing, February 5, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act ceding jurisdiction to the United States over lot No. 1, section 34, in township No. 22 north of range 8 east; also over two tracts of land on Lake St. Clair.

R. McCLELLAND.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 5, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House have concurred in the amendments of the Senate to

A bill to amend sections 3, 9, 18, 19 and 20, of an act entitled an act relative to plank roads, approved March 13, 1848, and to add 5 new sections thereto, to stand as sections 25, 26, 27, 28, and 29,

And have ordered the bill as amended to be enrolled.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Griswold moved a preamble and joint resolutions, as follows :
PREAMBLE and Joint Resolutions instructing our Senators and requesting our Representatives in Congress to act relative to a declaration of the views of the United States respecting colonization on the American Continent by European Powers.

Whereas, The Congress of the United States has now under consideration a joint resolution declaring that the "American Continent

by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European Power," that while existing rights should be respected, and will be by the United States, they owe it to their own safety and interest to announce "that no future European colony or dominion shall, with their consent be planted or established in any part of the American Continent ; and that should the attempt be made, the Congress of the United States will deliberately declare that it will be viewed as an act originating in motives regardless of their interest and their safety, and which leaves them free to adopt such measures as an independent nation may justly adopt in defence of its rights and its honor;

And Whereas, While the said resolution disclaims any designs upon the Island of Cuba, inconsistent with the laws of nations, and with the duties which the United States owe to Spain, it asserts the vast importance of making known in the most solemn manner that the government and people of the United States will view all efforts on the part of any other Power to procure possession, whether peaceably or forcibly, of that Island, as unfriendly acts directed against our own Government, to be resisted by all the means in our power;

And Whereas, The policy and sentiment expressed in said joint resolution before the Congress of the United States, as well as the patriotic and statesman-like course of our distinguished Senator Lewis Cass, in relation to the future public safety and welfare of our country, as connected with this important subject are in accordance with the sentiment and views of a majority of the people of the State of Michigan; therefore

Resolved, That our Senators in Congress be instructed and our Representatives requested to vote for the passage of the same,

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress.

Which was adopted, by the following vote :

YEAS:

Mr. Arzeno,
Clarke,
Fralick,
Goodrich,

Mr. Harris,
Hickok,
Hixson,
Johnson,

Mr. McCauley,
Newberry,
Russell,
Snow,

Gould,
Griswold,
Hall,
Harrington,

Kent,
Leonard,
Lyon,
Moore,

Smith,
Stowell,
Twombly,
Wright,

24

NAYS:

Mr. Beeson,
Curtenius,
Dickey,

Mr. Gardner,
McNaughton,

Mr. Paddock,
Pierce,

7

Pending the taking of the above vote, it was moved that Mr. Johnson be excused from voting; which was lost, as follows:

YEAS:

Mr. Beeson,
Curtenius,
Dickey,

Mr. Gardner,
McNaughton,
Paddock,

Pierce,
Russell,

8

NAYS:

Mr. Arzeno,
Clarke,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hickok,
Hixson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McCauley,
Newberry,
Snow,
Smith,
Stowell,
Twombly,
Wright,

22

Mr. Beeson moved that a committee on the part of the Senate be appointed, to confer with a like committee from the House, in reference to the adoption of a substitute to House bill to amend section 49 of chapter 154 of the revised statutes.

Carried.

The President appointed Messrs. Beeson, Snow and Gould, such committee.

Mr. McNaughton moved to take from the table,

A joint resolution for the relief of B. Porter; which prevailed.

Mr. Gould moved to add at the end, "after deducting the amount already allowed and paid to said Porter."

Carried.

Mr. Goodrich moved the following amendment:

Provided he shall make satisfactory proof to said State Auditors, of the payment of any moneys, or the rendering of any services not included in the settlement heretofore made with said Auditors.

Pending which,

Mr. McCauley moved to indefinitely postpone the whole matter; which was lost, as follows:

YEAS:

Mr. Beeson,	Mr. Harrington,	Mr. McCauley,
Dickey,	Harris,	Newberry,
Fralick,	Kent,	Pierce,
Griswold,	Leonard,	Snow,
Hall,		

13

NAYS:

Mr. Arzeno,	Mr. Hixson,	Mr. Russell,
Clarke,	Johnson,	Smith,
Curtenius,	Lyon,	Stowell,
Gardner,	Moore,	Twombly,
Goodrich,	McNaughton,	Wright,
Gould,	Paddock,	

17

The question recurring upon the amendment of Mr. Goodrich, the same was adopted.

Mr. Gould moved to insert after the word "Lansing and," the words, "in their discretion," which prevailed.

Mr. Pierce moved to add the following proviso:

"*Provided*, That the said Board of Auditors shall not allow or pay any amount to said Porter, on claims already liquidated and settled."

Pending which,

Mr. Smith moved the previous question,

Which was ordered by the following two-thirds vote:

YEAS:

Mr. Arzeno,	Mr. Griswold,	Mr. Moore,
Clarke,	Hall,	McCauley,
Curtenius,	Harrington,	McNaughton,
Fralick,	Harris,	Newberry,
Gardner,	Johnson,	Russell,
Goodrich,	Kent,	Smith,
Gould,	Leonard,	Wright,

21

NAYS:

Mr. Hickok,	Mr. Paddock,	Mr. Snow,
Hixson,	Pierce,	Stowell,
Lyon,		

7

The main question being to order the resolution to be read a third time, the same prevailed; it was so read and lost on its final passage by the following vote:

YEAS.

Mr. Arzeno,	Mr. Gould,	Mr. McNaughton,	
Clarke,	Johnson,	Paddock,	
Curtenius,	Leonard,	Russell,	
Gardner,	Lyon,	Stowell,	
Goodrich,	Moore,	Twombly,	15

NAYS :

Mr. Beeson,	Mr. Harris,	Mr. Newberry,	
Dickey,	Hickok,	Pierce,	
Fralick,	Hixson,	Snow,	
Griswold,	Kent,	Smith,	
Hall,	McCauley,	Wright,	
Harrington,			16

Mr. McNaughton moved to reconsider the vote by which the resolution was lost, which motion

Mr. Gould moved to lay on the table; which prevailed.

Mr. Snow offered the following:

Resolved, That on and after to-morrow, the daily sessions of the Senate shall commence at 9 o'clock, A. M., until otherwise ordered.

Mr. Pierce moved to insert "seven o'clock, A. M.," instead of "nine."

Pending the resolution and amendment,

On motion of Mr. Wright,

The whole subject was laid upon the table.

Mr. Snow moved to take House joint resolution relative to stationery, from the table,

Which prevailed.

And after some discussion thereon,

On motion of Mr. Goodrich,

The same was again laid upon the table.

Mr. Moore offered the following:

Whereas, The vote by which the agricultural school bill passed the Senate was hasty and inconsiderate, and that some members voted for the bill in such manner, and regret the same; therefore

Resolved, That the House be requested to return the bill to the Senate, where it originated.

Pending which,

Mr. Lyon moved to lay the whole subject on the table,

Which did not prevail, as follows:

YEAS :

Mr. Curtenius,
Gardner,
Harrington,

Mr. Harris,
Johnson,
Lyon,

Mr. McCauley,
McNaughton,
Russell, 9

NAYS :

Mr. Arzeno,
Beeson,
Clarke,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Hickok,
Hixson,
Kent,
Leonard,
Moore,
Newberry,

Mr. Paddock,
Pierce,
Snow,
Smith,
Stevens,
Twombly,
Wright, 22

On motion of Mr. Gould,

The Senate adjourned until 2 o'clock, P. M.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The Senate resumed the consideration of the preamble and resolution of Mr. Moore.

Mr. Gould moved to amend by inserting after the word "bill," in the resolution, "and the bill relative to the University fund."

Pending which,

Mr. Stowell moved a call of the Senate,

Which was ordered.

The roll was called, and Messrs. Harris and Johnson were reported absent without leave.

The Sergeant-at-Arms was directed to procure the attendance of the absentees.

On motion of Mr. Griswold,

All further proceedings under the call were dispensed with.

The question recurring upon the amendment of Mr. Gould, the same was lost by the following vote:

YEAS :

Mr. Goodrich,
Griswold,
Gould,
Hall,

Mr. Hickok,
McCauley,
McNaughton,

Mr. Paddock,
Smith,
Stowell,

31

10

NAYS :

Mr. Arzeno,	Mr. Harrington,	Mr. Pierce,	
Beeson,	Hixson,	Russell,	
Clarke,	Kent,	Snow,	
Curtenius,	Leonard,	Stevens,	
Dickey,	Lyon,	Twombly,	
Fralick,	Moore,	Wright,	
Gardner,	Newberry,		20

The resolution and preamble did not prevail, as follows:

YEAS:

Mr. Beeson,	Mr. Kent,	Mr. Pierce,	
Dickey,	Leonard,	Snow,	
Fralick,	Moore,	Twombly,	
Hixson,	Newberry,		11

NAYS :

Mr. Arzeno,	Mr. Griswold,	Mr. McCauley,	
Clarke,	Hall,	McNaughton,	
Curtenius,	Harrington,	Paddock,	
Gardner,	Harris,	Russell,	
Goodrich,	Hickok,	Smith,	
Gould,	Lyon,	Stevens,	18

The President announced the following from the Executive :

EXECUTIVE OFFICE, }
Lansing, February 7, 1853.

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases.

R. McCLELLAND.

Mr. Harrington offered the following:

Resolved, That the Senate, for the remainder of the session, adopt a regular order of business, so that all bills and resolutions be taken up as they are recorded on the general order.

Which, on motion of Mr. Arzeno,

Was laid on the table.

Mr. Snow moved to take House bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee, from the table; which was lost.

Mr. Fralick moved to take House bill No. 33, to prevent the sale and manufacture of intoxicating drinks, from the table.

Carried.

The question being taken on striking out sections 18, 19 and 20, the same was lost, as follows:

YEAS :

Mr. Curtenius, Dickey, Fralick, Gardner,	Mr. Goodrich, Hickek, Kent, Leonard,	Mr. McNaughton, Newberry, Paddock, Pierce,	12
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NAYS :

Mr. Arzeno, Beeson, Clarke, Gould, Griswold, Hall, Harrington,	Mr. Harris, Hixson, Johnson, Lyon, Moore, McCauley, Russell,	Mr. Snow, Smith, Stevens, Stowell, Twombly, Wright,	20
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Mr. Moore moved to recommit the bill to the select committee on that subject.

Mr. Fralick moved to amend, by committing the same to the judiciary committee.

Pending which,

Mr. McNaughton moved to amend by instructing the committee to substitute the Senate bill.

Lost, as follows:

YEAS:

Mr. Dickey, Fralick, Hixson,	Mr. McNaughton, Newberry,	Mr. Paddock, Pierce,	7
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NAYS:

Mr. Arzeno, Beeson, Curtenius, Gardner, Gould, Griswold, Hall, Harrington,	Mr. Harris, Hickok, Johnson, Kent, Leonard, Lyon, Moore, McCauley,	Mr. Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright,	23
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Mr. Wright moved to lay the bill on the table.

Lost.

The question recurring upon the motion to refer to the judiciary committee, the same did not prevail, as follows:

YEAS.

Mr. Dickey, Fralick, Harrington, Harris,	Mr. Hickok, Hixson, Leonard, McNaughton,	Mr. Newberry, Paddock, Pierce,	11
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NAYS.

Mr. Arzeno, Beeson, Clarke, Curtenius, Gardner, Goodrich, Gould,	Mr. Griswold, Hall, Johnson, Kent, Lyon, Moore, McCauley,	Mr. Russell, Snow, Smith, Stevens, Stowell, Twombly, Wright,	21
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The question then recurring upon the motion of Mr. Moore, the same was lost, as follows:

YEAS :

Mr. Curtenius, Gould, Harrington, Hixson,	Mr. Moore, McNaughton, Newberry,	Mr. Pierce, Stowell, Twombly,	10
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NAYS :

Mr. Arzeno, Beeson, Clarke, Dickey, Fralick, Gardner, Goodrich, Griswold,	Mr. Hall, Harris, Hickok, Johnson, Kent, Leonard, Lyon,	Mr. McCauley, Paddock, Russell, Snow, Smith, Stevens, Wright,	22
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Mr. McNaughton moved to strike out all after the enacting clause, and insert the Senate bill.

Pending which,

On motion of Mr. Twombly,

The bill was recommitted to the select committee, with instructions to so amend sections 18, 19 and 20, as to perfect the bill and make it effective.

On motion of Mr. Gould,

The bill in aid of the Michigan Asylums, was taken from the table.

Mr. Hickok moved to amend section 2, line 1, by inserting "dollars," after second word "thousand," which prevailed.

Mr. Snow moved to amend section 1, line 1, by striking out "twenty three," and inserting "fifteen."

Mr. Griswold moved to amend by inserting "twenty."

Lost.

A division of the question was called for, and the question taken on striking out, and lost, as follows:

YEAS.

Arzeno,	Mr. Hixson,	Mr. Newberry,	
Fralick,	Kent,	Paddock,	
Hall,	Leonard,	Russell,	
Harrington,	Moore,	Snow,	
Harris,	McNaughton,	Smith,	15

NAYS:

Mr. Beeson,	Mr. Gould,	Mr. Pierce,	
Clarke,	Griswold,	Stevens,	
Curtenius,	Hickok,	Stowell,	
Dickey,	Johnson,	Twombly,	
Gardner,	Lyon,	Wright,	
Goodrich,	McCauley,		17

The bill was then ordered to be read a third time, was so read and passed, as follows:

YEAS.

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Paddock,	
Clarke,	Hickok,	Pierce,	
Curtenius,	Johnson,	Russell,	
Dickey,	Kent,	Snow,	
Fralick,	Leonard,	Smith,	
Gardner,	Lyon,	Stevens,	
Goodrich,	Moore,	Stowell,	
Gould,	McCauley,	Twombly,	
Griswold,	McNaughton,	Wright,	
Hall,			31

NAYS:

Mr. Hixson,	1
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And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

On motion of Mr. Moore,

The committee of the whole were discharged from the further consideration of the bill making appropriations for the State Normal School.

The bill being under consideration,

Mr. Dickey moved to strike out the first section of the bill.

Pending which,

Mr. Fralick moved to strike out the words "the proceeds of the sale of," and insert "moneys arising from the swamp lands sold."

Mr. Goodrich moved to strike out of the amendment the word "arising," and insert "received."

Carried.

Mr. Lyon moved to insert the word "heretofore," before "sold," which prevailed.

The amendment as amended, was then adopted.

Mr. Stevens moved to insert in line two, after the word "government," the words "not exceeding the sum of seventy thousand dollars."

Mr. Goodrich moved to amend the amendment, by striking out "seventy," and inserting "thirty;" which prevailed.

The amendment as amended, was then adopted.

Mr. Fralick offered the following as a substitute for the first section of the bill amended:

Section 1. *The people of the State of Michigan enact*, That the moneys arising from the swamp lands heretofore sold by the general government not exceeding seventy thousand dollars, are hereby appropriated to the State Normal School endowment fund.

Which was adopted, as follows:

YEAS :

Mr. Clarke,	Mr. Hall,	Mr. Moore,	
Curtenius,	Harrington,	McCauley,	
Fralick,	Hickok,	Smith,	
Gardner,	Hixson,	Stevens,	
Gould,	Johnson,	Stowell,	
Griswold,	Leonard,	Twombly,	18

NAYS :

Mr. Beeson,	Mr. Kent,	Mr. Paddock,	
Dickey,	Lyon,	Pierce,	
Goodrich,	McNaughton,	Russell,	
Harris,	Newberry,	Wright,	12

The question recurring upon the motion of Mr. Dickey to strike out the first section of the bill, the same was lost, as follows:

YEAS.

Mr. Arzeno,
Beeson,
Dickey,
Goodrich,
Harrington,

Mr. Harris,
Leonard,
Lyon,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Smith, 15

NAYS.

Mr. Clarke,
Curtenius,
Fralick,
Gardner,
Gould,
Griswold,

Mr. Hall,
Hickok,
Hixson,
Johnson,
Kent,

Mr. Moore,
Snow,
Stevens,
Stowell,
Twombly, 16

On motion,

The Senate adjourned.

Lansing, February 8, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Fitch.

Roll called ; a quorum present.

The reading of the journal of preceding day was dispensed with, and the same was approved.

PETITIONS PRESENTED.

By Mr. Lyon: of sundry persons, asking the passage of a general railroad law; and of sundry other persons, remonstrating against the passage of such a law.

Laid on the table.

By Mr. Harris: from the board of supervisors of Ottawa county, for the passage of a law to provide for the assessment and collection of taxes in the counties of Oceana, Mason, Manistee, attached to Ottawa county for judicial purposes.

Laid on the table.

By Mr. Moore: of sundry persons of Kalamazoo county, praying for a law similar to the Maine law.

By Mr. Twombly: of C. B. Goodrich and 51 others, with same prayer.

Laid on the table.

By Mr. Curtenius: of Wm. Sprague, D. S. Walbridge, and others, asking for amendments to the Kalamazoo and Grand River Railroad Company, with a view to the revival of its charter.

Referred to committee on incorporations.

Mr. Griswold presented the following:

The undersigned respectfully represents that in the House of Representatives of Massachusetts, Mr. Stevenson, of Boston, presented the petition of Robert G. Shaw, Thomas H. Perkins, Abbott Lawrence, and 2,861 others, for repeal of the liquor law.

Respectfully,

S. W. S JACKSON.

Laid on the table.

REPORTS.

Mr. McCauley, from the committee on the division of towns and counties, made the following report:

The committee on towns and counties, to whom was referred

House bill No. 43, relative to the vacating of a certain road in the town of Martin, in the county of Allegan,

Had the same under consideration, and reported adverse to said bill. The reasons for the above report were, that the committee acted under the impression that the Legislature had no authority to act in the matter, as the constitution, article 4, section 23, confers that power on the board of supervisors. But on further examination, the committee have learned that the road in question is a State road, and comes within the power of the Legislature to vacate. The committee have instructed me to re-report the bill back to the Senate and recommend it do pass, and the committee ask to be discharged from its further consideration.

The report was accepted and the committee discharged, the bill ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,

Mr. Hall,
Harrington,
Harris,
Hickok,

Mr. McCauley,
Paddock,
Pierce,
Russell,

Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Hixson,
Johnson,
Kent,
Lyon,

Smith,
Stevens,
Twombly,
Wright,

25
0

NAYS:

Mr. Smith, from the committee on claims, submitted the following report:

The committee on claims, to whom was referred the account of Edward Kanter, for translating the Governor's message into the German language, and also the account of E. N. Lacroix, for the translation of the same into the French language, and for the correction of the proof sheet thereof, have had the same under consideration, and instruct me to report, that in their opinion the constitution prohibits any legislative action on said accounts, but recommend their reference to the Board of State Auditors, and ask to be discharged.

The report was accepted and the committee discharged.

Mr. Harrington, from the committee on public lands, who were, by a resolution of the Senate, instructed to inquire into the expediency of granting the swamp lands to the several counties, &c., and report by bill or otherwise, submitted a written report, which was laid upon the table and ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill to amend section 4 of an act entitled an act to incorporate the Detrit and Lake St. Clair Plank Road Company, approved March 28, 1850;

A bill authorizing the board of supervisors of Van Buren county to loan the credit of said county to certain plank road companies;

Which were read twice, laid upon the table, and the second named ordered printed.

Mr. Gould, from the judiciary committee, reported

A bill to amend section 1 of chapter 128 of the revised statutes; Which was read twice and laid on the table.

Mr. Fralick submitted the following:

The select committee, to whom was referred House bill No. 33, entitled a bill prohibiting the manufacture of intoxicating beverages, and the traffic therein, with instructions to perfect sections 18 and 20 thereof, have had the same under consideration, and have instructed me to report the same back with a substitute, to stand as

sections 18 and 20, of said bill, which is herewith submitted, and in which the concurrence of the Senate is respectfully recommended, and ask to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The amendments proposed by the committee, are as follows: strike out sections 18 and 20, and substitute in lieu thereof the following, to stand as said sections:

Section 18. This act shall be submitted to the electors of the State for their adoption or rejection, on the third Monday of June, in the year of our Lord one thousand eight hundred and fifty-three, when there shall be an election held for that purpose, in each of the townships, cities and villages in the State; and it shall be the duty of the Secretary of State, immediately after the passage of this act, to transmit to the sheriff of each county in the State, a notice in writing, containing a brief statement of the contents of this act, and he shall cause a copy of this act to be published once in each week, in the Lansing State Journal, from the date of the notice until the election aforesaid: And the Sheriff of the several counties, on receiving the notice hereby provided for, shall forthwith, in writing, notify the township clerk of each township, and one of the inspectors of election of each ward in any city or village, of such election; and it shall be the duty of the township clerks and inspectors of election of said wards, receiving said notice, to give eight days notice, in a written or printed, or partly written and partly printed notice, under their hands respectively, to the electors of the township or ward, of the time and place of holding said election, by posting the same up in at least three public places in the township or ward. The election provided for by this act shall be conducted in the same manner as by existing laws is provided for the holding of a general election; and the inspectors of said election are hereby invested with the same powers and authority as are provided by the election laws of this State for a general election.

Sec. 20. The canvass of the votes cast for the adoption or rejection of this law, prohibiting the manufacture of intoxicating beverages, and the traffic therein, and the returns thereof shall be made by the proper canvassing officers, within the same time and in the same manner as now provided by law for the canvass and return of the

votes cast at an election for Governor, as near as may be, and the returns thereof shall be made to the Secretary of State, Governor and State Treasurer, within the time and in the manner provided by law for the election of Governor; and on the first Tuesday of August, eighteen hundred and fifty-three, the Auditor General, State Treasurer and Secretary of State, shall meet at the Capitol, and proceed, in the presence of the Governor, to examine and canvass the returns of the said votes, and proclamation shall forthwith be made by the Governor, of the result thereof. If it shall appear that a majority of the votes cast, have thereon, "Adoption of the law prohibiting the manufacture of intoxicating beverages and the traffic therein—yes," this act shall become a law of the State, from and after the first day of December, 1853; but if a majority of the votes cast upon the question, have thereon, "adoption of the law prohibiting the manufacture of intoxicating beverages and the traffic therein—no;" this act shall take effect and become a law of the State from and after the first day of March, 1855.

Mr. McNaughton moved to amend by striking out where they occur, the words, "adoption, or rejection," and insert in lieu thereof, "approval or disapproval," in said sections 18 and 20, which was adopted by the following vote :

YEAS:

Mr. Beeson,	Mr. Harris,	Mr. McNaughton,
Curtenius,	Hickok,	Newberry,
Dickey,	Hixson,	Paddock,
Fralick,	Johnson,	Pierce,
Gardner,	Kent,	Russell,
Goodrich,	Leonard,	Smith,
Gould,	Lyon,	Stowell,
Hall,	Moore,	Twombly,
Harrington,	McCauley,	Wright,
		27

NAYS:

Mr. Arzeno,	1
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Mr. Harrington moved to further amend by striking out "1855," and inserting "1870," which prevailed as follows :

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Snow,
Curtenius,	Kent,	Smith,
Fralick,	Lyon,	Stowell,
Gardner,	McCauley,	Twombly,
Gould,	McNaughton,	Wright,
Harrington,		
		16

NAYS:

Mr. Beeson, Dickey, Goodrich, Hall, Hickok,	Mr. Hixson, Johnson, Leonard, Moore, Newberry,	Mr. Paddock, Pierce, Russell, Stevens,	14
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Mr. ——— moved to strike out the words, "take effect and become a law of the State, from and after the first day of March, 1870," and insert, "be null and void," which was lost as follows:

YEAS:

Mr. Clarke, Goodrich, Griswold, Hall, Hixson,	Mr. Johnson, Leonard, Lyon, McCauley, Newberry,	Mr. Russell, Snow, Stevens, Stowell, Twombly,	15
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NAYS:

Mr. Arzeno, Beeson, Curtenius, Dickey, Fralick, Gardner,	Mr. Gould, Harrington, Harris, Hickok, Kent, Moore,	Mr. McNaughton, Paddock, Pierce, Smith, Wright,	17
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Mr. Stowell moved a call of the Senate, which was ordered.

The roll was called, and Mr. Griswold was found absent without leave.

The Sergeant-at-Arms was despatched for the absentee, when he appeared and took his seat, and all further proceedings under the call were dispensed with.

The question recurring upon the adoption of the amendments of the committee as amended, the same prevailed as follows:

YEAS:

Mr. Arzeno, Beeson, Curtenius, Dickey, Fralick, Gardner, Goodrich, Gould,	Mr. Hall, Harrington, Harris, Hickok, Hixson, Johnson, Kent, Leonard,	Mr. Lyon, Moore, McNaughton, Paddock, Pierce, Smith, Wright,	23
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NAYS:

Mr. Clarke, Griswold, McCauley,	Mr. Newberry, Russell, Snow,	Mr. Stevens, Stowell, Twombly,	9
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Mr. Dickey offered to stand as a new section, after section 17, the following:

Sec. 18. Whenever any person within this State shall be found in such a state of intoxication as to disturb the public, or domestic tranquillity, any sheriff or deputy sheriff, justice of the peace, prosecuting attorney, or any constable of the town in which such person is so found, may, without warrant, and it is hereby made their duty, to apprehend said person so intoxicated, and take and retain him in custody at the expense of the town in which he is so found, until in the opinion of such officer, the person so detained shall be capable of testifying properly in a court of justice, and as soon as may be thereafter, bring him before some justice of the peace in the county; and such person so found intoxicated shall, on oath, before such justice, disclose the place where, and the person of whom the liquor producing intoxication was obtained, and all the circumstances attending it; and in the refusal or neglect of such person so to disclose, he may, by such justice, be committed to the common jail of the county, at the expense of the town in which he was so found, until he shall so disclose, or by said justice be discharged. And in case said justice shall adjudge from the evidence that the sale, furnishing, or giving away of said liquor was an offence against this act, he shall forthwith issue his warrant, and cause the person so selling, furnishing or giving away said liquor, to be brought forthwith before him, and such proceeding shall be had in the case, in all respects, as would have been had if the person so offending had been regularly prosecuted before such justice for such offence, in the manner prescribed in this act; and any person resisting the arrest or detention of such person so found intoxicated by any of the officers aforesaid, shall be liable to the same penalties, as are prescribed by law for resisting a sheriff in the execution of a legal process.

Mr. Arzeno moved to lay the amendment on the table; which prevailed, by the following vote:

YEAS.

Mr. Arzeno,
Beeson,
Clarke,
Gould,
Harrington,
Harris,

Mr. Hixson,
Johnson,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Smith,
Stevens,
Stowell,
Twombly,
Wright,

17

NAYS.

Mr. Curtenius, Dickey, Fralick, Gardner, Goodrich,	Mr. Griswold, Hall, Hickok, Kent, Leonard,	Mr. Newberry, Paddock, Pierce, Russell, Snow,	15
----------------------------------------------------------------	--------------------------------------------------------	-----------------------------------------------------------	----

Mr. Harrington moved to adjourn; which was lost.

Mr. Gould moved to strike out sections 2 and 3 of the bill; which was lost, as follows:

YEAS:

Mr. Curtenius, Gould, Griswold, Hall, Harrington,	Mr. Hixson, Johnson, Moore, McCauley,	Mr. Newberry, Snow, Stowell, Wright,	13
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NAYS.

Mr. Arzeno, Beeson, Clarke, Dickey, Fralick, Gardner,	Mr. Goodrich, Harris, Hickok, Kent, Leonard, Lyon,	Mr. McNaughton, Paddock, Pierce, Russell, Smith, Stevens,	18
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The bill as amended was then ordered to be read a third time by the following vote:

YEAS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Dickey, Fralick, Gardner, Goodrich, Gould, Griswold,	Mr. Hall, Harrington, Harris, Hickok, Hixson, Johnson, Kent, Leonard, Lyon, Moore,	Mr. McCauley, McNaughton, Paddock, Pierce, Russell, Snow, Smith, Stevens, Twombly, Wright,	30
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NAYS:

Mr. Newberry,	Mr. Stowell,	2
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Was so read and passed, by the following vote:

YEAS:

Mr. Arzeno, Beeson, Curtenius, Dickey,	Mr. Hall, Harrington, Hickok, Johnson,	Mr. McNaughton, Paddock, Pierce, Snow,
-------------------------------------------------	-------------------------------------------------	-------------------------------------------------

Fralick,
Gardner,
Goodrich,
Gould,

Kent,
Leonard,
Lyon,
Moore,

Smith,
Stevens,
Wright,

23

NAYS:

Mr. Clarke,
Griswold,
Harris,

Mr. Hixson,
McCauley,
Newberry,

Mr. Russell
Stowell,
Twombly,

9

The bill was ordered to take immediate effect by the following vote, being two-thirds of all elect:

YEAS:

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Mr. Hall,
Hickok,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McCauley,
McNaughton,
Paddock,
Pierce,
Smith,
Stevens,
Wright,

22

NAYS:

Mr. Clarke,
Griswold,
Harrington,

Mr. Harris,
Hixson,
Newberry,

Mr. Russell,
Snow,
Twombly,

9

The Senate adjourned until 2 o'clock, P. M.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 7, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to change the name of Julian Allen; and

A bill to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31st, 1853;

Both which the House have passed by a vote of two-thirds of all the members elected, and by the same vote ordered that the last named take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bills were severally read twice; the first named referred to the committee on incorporations, and the rule being suspended, the second named bill was ordered to be read a third time, was so read, and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. McNaughton,	
Beeson,	Harris,	Newberry,	
Clarke,	Hixson,	Paddock,	
Dickey,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Twombly,	
Griswold,	Moore,	Wright,	
Hall,	McCauley,		26

NAYS:

Mr. Hickok,	1
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And by a like vote the same was ordered to take effect immediately.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Goodrich,

Resolved, That five hundred extra copies of the report of the committee on mines and minerals, on House bill No. 26, be printed for the use of the Senate.

On motion of Mr. Lyon,

A bill to amend an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850,

Was taken from the table and referred to committee on incorporations.

On motion of Mr. Griswold,

A bill to amend an act entitled an act to incorporate the Detroit River Sectional Floating Dock, Dry Dock, and Marine Railway Company, approved March 17, 1847,

Was taken from the table, ordered to be read a third time, was so read, and passed by a vote of two-thirds of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Clarke,	Hickok,	Paddock,	
Curtenius,	Hixson,	Pierce,	
Dickey,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Stevens,	
Griswold,	Moore,	Stowell,	
Hall,	McCauley,	Twombly,	
Harrington,	McNaughton,	Wright,	30
	NAYS:		0

And by a like vote was ordered to take immediate effect.

On motion of Mr. Dickey,

▲ bill supplementary to the common school law,

Was taken from the table.

On motion of Mr. Gould,

The same was referred to the committee of the whole, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. McCauley,	
Curtenius,	Hickok,	Paddock,	
Goodrich,	Hixson,	Russell,	
Gould,	Johnson,	Stevens,	
Hall,	Lyon,	Wright,	
Harrington,			16

NAYS:

Mr. Beeson,	Mr. Kent,	Mr. Pierce,	
Dickey,	Leonard,	Snow,	
Fralick,	Moore,	Smith,	
Gardner,	Newberry,	Stowell,	
Griswold,			13

Mr. Goodrich, by unanimous consent, introduced

A joint resolution authorizing the Auditor General to re-issue a certain land warrant.

The same was read twice, and the rule being suspended, ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Arzeno, Clarke, Dickey, Fralick, Gardner, Goodrich, Gould, Griswold, Hall,	Mr. Harris, Hixson, Johnson, Kent, Lyon, Moore, McCauley, Newberry,	Mr. Paddock, Pierce, Russell, Snow, Stevens, Stowell, Twombly, Wright,
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25

NAYS:

Mr. Curtenius, On motion of Mr. Griswold,	Mr. Hickok,	Mr. Harrington,	3
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House joint resolution relative to stationery was taken from the table.

Mr. Harrington moved to add "and that said certificate be accompanied by a bill in detail of the amount of stationery furnished each House;" which prevailed.

Mr. Fralick moved to lay the resolution on the table.

Lost, as follows :

YEAS:

Mr. Beeson, Dickey, Fralick, Gardner,	Mr. Hixson, Leonard, Lyon, Moore,	Mr. Newberry, Paddock, Russell,
------------------------------------------------	--------------------------------------------	---------------------------------------

11

NAYS:

Mr. Arzeno, Clarke, Curtenius, Goodrich, Gould, Griswold, Hall,	Mr. Harrington, Harris, Hickok, Johnson, Kent, McCauley,	Mr. Snow, Smith, Stevens, Stowell, Twombly, Wright,
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19

On motion of Mr. Gould,

The vote adopting Mr. Harrington's amendment was reconsidered.

Mr. McNaughton moved to lay on the table.

Lost, as follows :

YEAS :

Mr. Beeson, Dickey, Fralick, Gardner, Harrington,	Mr. Johnson, Leonard, Moore, McNaughton, Newberry,	Mr. Paddock, Pierce, Snow, Smith,
---------------------------------------------------------------	----------------------------------------------------------------	--------------------------------------------

13

NAYS :

Mr. Clarke,
Curtenius,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harris,
Hickok,
Hixson,
Lyon,
McCauley,

Mr. Russell,
Stevens,
Stowell,
Twombly,
Wright,

16

Mr. Dickey moved to refer the resolution to committee on supplies and expenses, with instructions to report a bill in detail.

Pending which,

Mr. Griswold asked and obtained leave of absence for himself and Mr. Twombly, for the afternoon, as follows :

YEAS :

Mr. Beeson,
Clarke,
Dickey,
Gardner,
Goodrich,
Hall,

Mr. Harrington,
Hickok,
Hixson,
Johnson,
Leonard,

Mr. Moore,
Newberry,
Pierce,
Snow,
Twombly,

16

NAYS :

Mr. Curtenius,
Fralick,
Gould,
Kent,

Mr. Lyon,
McNaughton,
Paddock,
Russell,

Mr. Smith,
Stevens,
Stowell,
Wright,

12

The question recurring upon Mr. Dickey's motion, the same prevailed.

On motion of Mr. McCauley,

Resolved, by the Senate, That the committee on supplies be instructed to furnish a bill of items for stationery furnished this branch of the Legislature.

On motion of Mr. Paddock,

The committee of the whole were discharged from the further consideration of

A bill to provide for the erection of a prison for the purpose of solitary confinement, and making an appropriation therefor.

Mr. Paddock offered a substitute for the bill, which, after being slightly amended,

On motion of Mr. McNaughton,

Was adopted.

On motion of Mr. Goodrich,

The bill was laid on the table.

On motion of Mr. Kent,

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee,

Was taken from the table, ordered to be read a third time, was so read and passed, by the following vote :

YEAS :

Mr. Arzeno,
Clarke,
Fralick,
Gardner,
Goodrich,
Hall,
Harris,
Hixson,

Mr. Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Paddock,
Pierce,
Russell,
Snow,
Stevens,
Stowell,
Wright,

22

NAYS :

Mr. Beeson,
Dickey,
Gould,

Mr. Harrington,
Hickok,

Mr. Newberry,
Smith,

7

And the same was ordered to take immediate effect by a vote of two-thirds of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,
Clarke,
Dickey,
Gardner,
Goodrich,
Hall,
Harris,
Hixson,

Mr. Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Paddock,
Pierce,
Russell,
Snow,
Stevens,
Stowell,
Wright,

22

NAYS:

Mr. Beeson,
Fralick,

Mr. Gould,
Harrington,

Mr. Hickok,
Smith,

6

Mr. Johnson, pursuant to notice, leave being granted, introduced

A bill to amend an act entitled an act to incorporate the Mackinaw and Lake Superior Mining Company, approved April 3, 1848 ;

Which was read twice, laid on the table and ordered printed.

On motion of Mr. Harrington,

House joint resolution relative to lot No. 1, block 95, for the first Baptist Church in Lansing,

Was taken from the table, ordered to be read a third time, was so read and passed by a vote of two-thirds of all the Senators elect, as follows :

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Mr. Hall,
Harrington,
Harris,
Hickok,
Hixson,
Kent,
Leonard,
Lyon,

Mr. Moore,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,

25

NAYS:

0

On motion of Mr. Gould,

A bill to authorise certain State officers to convey certain lands to the First Universalist Church, and the First Wesleyan Church and Society at Lansing,

Was taken from the table, ordered to be read a third time, was so read and passed by the following two-thirds vote of all the Senators elect :

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Hall,
Harrington,

Mr. Harris,
Hickok,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Wright,

25

NAYS:

0

On motion of Mr. Moore,

A bill making appropriations for the State Normal School,

Was taken up by unanimous consent.

On motion of Mr. Moore,

The word "seventy," was stricken out of the first section, and "thirty" inserted.

On motion of Mr. Fralick,

"Six" was stricken out of the first line of section two, and "two" inserted.

On motion of Mr. Gould,

The word "three" in line 2, of section 2 was stricken out, and "two" inserted by the following vote :

YEAS :

Mr. Arzeno, Beeson, Clarke, Curtenius, Gould,	Mr. Harris, Leonard, Lyon, Newberry,	Mr. Paddock, Russell, Snow, Smith,	13
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NAYS:

Mr. Dickey, Fralick, Gardner, Goodrich,	Mr. Hall, Hickok, Hixson, Kent,	Mr. Moore, McNaughton, Pierce,	11
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On motion of Mr. McNaughton,

The words "agricultural tools and implements," in 3d line of section 3, were stricken out by the following vote :

YEAS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Dickey, Fralick,	Mr. Goodrich, Gould, Harris, Kent, Leonard,	Mr. Lyon, McNaughton, Paddock, Russell, Stowell,	16
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NAYS:

Mr. Hixson, Moore,	Mr. Newberry, Pierce,	Mr. Snow, Stevens,	6
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Mr. Newberry moved to strike out section 3.

Pending which,

On motion of Mr. Gould,

The words "six thousand seven hundred and fifty," were stricken out, and "three thousand" inserted, by the following vote:

YEAS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Dickey, Fralick, Gardner, Goodrich,	Mr. Gould, Harris, Kent, Leonard, McNaughton, Newberry, Paddock,	Mr. Pierce, Russell, Snow, Smith, Stevens, Stowell, Wright,	22
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NAYS:

Mr. Hall,
Hickok,

Mr. Hixson,

Mr. Moore,

4

The question recurring upon the motion to strike out section three, the same did not prevail, as follows:

YEAS:

Mr. Arzeno,

Mr. Harris,

Mr. Newberry,

3

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,Mr. Hall,
Hickok,
Johnson,
Kent,
Leonard,
Moore,
McNaughton,Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Wright,

21

Mr. Hickok offered the following, to stand as a new section:

Sec. 4. That every male teacher hereafter employed in our primary schools, shall first have attended the Normal School three months.

Which was lost.

The bill was then ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Beeson,
Curtenius,
Fralick,
Gardner,
Goodrich,
Gould,
Hall,
Harrington,Mr. Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McNaughton,Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,

24

NAYS:

Mr. Arzeno,
Dickey,

Mr. Harris,

Mr. Newberry,

4

On motion,

The Senate adjourned.

Lansing, February 9, 1853.

The President called the Senate to order.

Prayer by the Rev. Mr. Atterbury.

Roll called; a quorum present.

The reading of the journal of the preceding day was dispensed with, and the same was approved.

PETITIONS.

By Mr. Snow: remonstrance of the First Presbyterian Church of the city of Detroit, against the division of the school fund.

Laid on the table and ordered printed.

By Mr. Moore: of 40 farmers of Moscow, asking an appropriation for the State Agricultural Society.

Laid on the table.

By Mr. Griswold: of the President and Directors of the Minnesota Mining Company, for an amendment to their charter.

Laid on the table.

By Mr. McNaughton: of E. Higby and others, citizens of Jackson county, for the passage of a general railroad law, accompanied by resolutions.

Referred to committee on incorporations.

By Mr. McCauley: the remonstrance of Charles H. Mercer, and other citizens of Livingston county, against the passage of a general railroad law.

By the same: of Oel B. Chambers and others, of Livingston county, with a like remonstrance.

By Mr. Wright: of J. G. Potter and A. J. Deys and 20 others, of Oakland county, remonstrating against the passage of a general railroad law.

By the same: of J. D. Cotharin, E. M. White and 30 others, with a like remonstrance.

By the same: of E. C. Moore and 63 others, citizens of Clarkston, Oakland county, with a like remonstrance.

By Mr. Gould: of D. Lyon Thorpe and 55 others, citizens of Shiawassee county, against the passage of a general railroad law.

By Mr. Lyon: of H. M. Brown and others; of H. R. Davis and 55 others; of Wm. Carlyle and 54 others, against the passage of a general railroad law.

All referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

Mr. Griswold, from the judiciary committee, reported

A bill to authorize the State Treasurer to receive from the general government certain moneys arising from the sale of swamp lands, and to authorize the Commissioner of the State Land Office to take an assignment of all warrants received for any of the swamp lands sold in this State since the act of Congress, approved September 28, 1850.

Which was read twice, laid on the table and ordered printed.

Mr. McNaughton, from the committee on education, reported back certain petitions asking for the establishment of a chair of Homoeopathy in the State University, adverse to the prayer of the petitioners, and asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged from the further consideration of the subject.

On motion of Mr. Gould,

The report and petitions were laid on the table, and the report ordered printed, as follows:

YEAS.

Mr. Arzeno,	Mr. Gould,	Mr. Moore,	
Clarke,	Griswold,	Paddock,	
Curtenius,	Harrington,	Pierce,	
Dickey,	Harris,	Russell,	
Fralick,	Leonard,	Snow,	
Gardner,	Lyon,	Stevens,	18

NAYS :

Mr. Hall,	Mr. McCauley,	Mr. Stowell,	
Kent,			4

Mr. Gould, from the committee on public lands, reported

A joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing,

Which was read twice, the rules suspended, and the resolution ordered to be read a third time, was so read and passed, by the following two-thirds vote:

YEAS :

Mr. Clarke,	Mr. Harris,	Mr. Paddock,
Curtenius,	Johnson,	Pierce,
Dickey,	Kent,	Russell,
Fralick,	Leonard,	Snow,
Gardner,	Lyon,	Smith,
Gould,	Moore,	Stevens,
Griswold,	McCauley,	Stowell,

Hall,
Harrington,

McNaughton,

Wright,

25

NAYS :

0

On motion of Mr. Stowell,

Mr. Hickok was excused for the day on account of sickness.

Mr. Clarke, from the committee on mines and minerals, reported

A bill to repeal section 12 of an act to incorporate the Hungarian Mining Company of Michigan, approved April 2d, 1850; also,

A bill to repeal section 12 of an act to incorporate the Ripley Mining Company of Michigan, approved April 2d, 1850;

Which were read twice and laid upon the table.

Mr. Wright, from the committee on supplies and expenses, pursuant to instructions, reported that in pursuance to a resolution passed yesterday, by the Senate, requiring the committee on supplies to report the amount of the claim of Palmer and Whipple, for stationery furnished the House of Representatives and Senate, beg leave to report that the amount furnished the House of Representatives (as per bill) is five hundred and sixty-four dollars and sixty-five cents; and the amount furnished the Senate (as per bill) is one hundred and seventy-one dollars and fifty-three cents.

All of which is respectfully submitted.

The report was accepted and the committee discharged.

Mr. Goodrich, from the committee on incorporations, reported back

A bill to change the name of Julian Allen,

Without recommendation, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a third time and laid on the table.

Mr. Goodrich, from the committee on incorporations, also reported

A bill to amend an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850,

With amendments, in which they asked the concurrence of the Senate, recommending the passage of the bill, and to be discharged from its further consideration.

The report was accepted and the committee discharged.

The amendments proposed by the committee, as follows, were severally concurred in:

Strike out of section 20, line 1, the word "regulate," and insert in lieu thereof the word "prohibited."

Sec. 20, line 3, insert after the word "city," the words "and regulate all." Strike out all from and after the word "licenses," in line 5, to and including the word "groceries," in line 7, and insert in lieu thereof, the word "to."

Section 23, line 12, strike out the words "six months," and insert in lieu thereof "sixty days."

Section 37, strike out of line 17, the words "or a charge upon such lots or premises as aforesaid."

On motion of Mr. Lyon,

The last section of the bill was struck out.

The bill was ordered to be read a third time, was so read and passed by the following two-thirds vote:

YEAS:

Mr. Beeson,	Mr. Hall,	Mr. McNaughton,	
Clarke,	Harrington,	Newberry,	
Curtenius,	Harris,	Paddock,	
Dickey,	Hixson,	Pierce,	
Fralick,	Kent,	Russell,	
Gardner,	Leonard,	Snow,	
Goodrich,	Lyon,	Smith,	
Gould,	Moore,	Stowell,	
Griswold,	McCauley,	Wright,	27

NAYS:

0

And by a like vote ordered to take immediate effect.

Mr. Griswold, from the judiciary committee, reported

A bill supplementary to an act to authorize the formation of corporations for mining and other purposes, approved Feb. 5, 1853.

Read twice, laid on the table and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Snow offered the following:

Resolved, That Oliver W. Moore, Secretary of the Senate, be and he is hereby authorized and requested to compile and prepare for publication, make indexes, and superintend the publication of the Senate journal and documents of the present legislature, and when correctly done, as may be certified to by the Secretary of State, the said O. W. Moore will be entitled to receive for said services, (in the opinion of the Senate,) the sum of ——— dollars.

On motion of Mr. Snow,

The blank was filled with 150, and the resolution as amended was adopted.

Mr. Snow offered the following:

Resolved, That in the opinion of the Senate, the door keeper of the Senate is entitled to receive the sum of two dollars and fifty cents per day for actual attendance, as certified to by the proper officers of the Senate.

Mr. Gould moved to amend by striking out "two dollars and fifty cents," and inserting "three dollars."

Mr. Dickey moved to further amend by striking out "two dollars and fifty cents," and inserting "five dollars;"

Which was lost as follows:

YEAS:

Mr. Dickey,	Mr. Gardner,	Mr. McNaughton,	3
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NAYS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Clarke,	Harris,	Pierce,	
Curtenius,	Hixson,	Russell,	
Fralick,	Kent,	Snow,	
Goodrich,	Leonard,	Stowell,	
Gould,	Lyon,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,			22

The question recurring upon the amendment of Mr. Gould, the same was adopted, as follows:

YEAS :

Mr. Arzeno,	Mr. Griswold,	Mr. Russell,	
Clarke,	Hixson,	Smith,	
Gardner,	Johnson,	Stowell,	
Goodrich,	Leonard,	Twombly,	
Gould,	McCauley,	Wright,	15

NAYS :

Mr. Beeson,	Mr. Harrington,	Mr. Newberry,	
Curtenius,	Harris,	Paddock,	
Dickey,	Kent,	Pierce,	
Fralick,	Lyon,	Snow,	
Hall,	Moore,		14

The resolution as amended was adopted.

Mr. Griswold moved to take up the bill to amend the act incorporating the Detroit and Maumee Railroad Company, and refer the same, and the petitions on the same subject, to the committee on incorporations.

Carried.

Mr. Gould moved to take from the table, Senate bills No. 32, 33, 35, 36, 66, 67, 68, 58, 78; 93, and House bill No. 4.

Carried.

The first named bill, being

A bill to amend section 1 of an act entitled an act to amend chapter 25 of the revised statutes of 1846,

Was taken up, ordered to be read a third time, was so read and passed, by the following vote:

YEAS :

Mr. Arzeno,	Mr. Griswold,	Mr. McNaughton,	
Beeson,	Hall,	Newberry,	
Clarke,	Harrington,	Paddock,	
Curtenius,	Harris,	Pierce,	
Dickey,	Hixson,	Russell,	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Twombly,	
Gould,	McCauley,		26

NAYS :

0

The second named bill, being

A bill to amend sections 17 and 18 of chapter 103 of the revised statutes of 1846,

Was taken up, ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Clarke,	Harris,	Newberry,	
Curtenius,	Hixson,	Paddock,	
Fralick,	Kent,	Russell,	
Gardner,	Leonard,	Snow,	
Goodrich,	Lyon,	Smith,	
Gould,	McCauley,	Twombly,	
Griswold,			22

NAYS:

Mr. Beeson,	Mr. Pierce,	Mr. Stowell,	3
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And the same was ordered to take immediate effect by a two-thirds vote of all the Senators elect.

The third named bill, being

A bill supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 5, 1851, and to repeal an act supplementary to said act, approved June 27, 1851,

Was taken up, ordered to be read a third a third time, was so read, when

Mr. Stowell moved to recommit the bill to the judiciary committee, with instructions to strike out section 5 of the bill; which was lost.

The bill was then passed by the following vote :

YEAS :

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Hixson,
Leonard,
Lyon,

Mr. McCauley,
Pierce,
Russell,
Snow,
Smith,
Twombly,
Wright,

22

NAYS:

Mr. Kent,
Moore,

Mr. McNaughton,
Paddock,

Mr. Stowell,

5

And by a two-thirds vote of all the Senators elect, ordered to take immediate effect.

The fourth named bill, being a bill relative to indictments, was taken up.

Mr. Arzeno moved to strike out section 11.

Lost.

Mr Dickey moved to lay the bill on the table; which did not prevail.

Mr. Stowell moved to strike out section 9.

Lost.

The bill was then ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Beeson,
Clarke,
Curtenius,

Mr. Harrington,
Harris,
Hixson,

Mr. McCauley,
McNaughton,
Newberry,

Fralick,
Gardner,
Gould,
Griswold,
Hall,

Johnson,
Kent,
Leonard,
Lyon,
Moore,

Paddock,
Pierce,
Russell,
Smith,
Stevens,

24

NAYS:

Mr. Snow,

Mr. Stowell,

Mr. Twombly,

3

On motion of Mr. Lyon,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

The Senate resumed the consideration of the bills taken from the table.

The fifth named bill, being a bill to amend sections 30 and 31 of an act to provide for the organization and powers of the Supreme Court, was taken up.

Mr. Fralick moved to strike out all after the word "delivered," in line 3 of sec. 31, which prevailed as follows:

YEAS:

Mr. Arzeno,
Beeson,
Fralick,
Goodrich,
Hall,
Harrington,
Harris,

Mr. Hixson,
Johnson,
Kent,
Leonard,
Moore,
Newberry,

Mr. Paddock,
Pierce,
Snow,
Stowell,
Twombly,
Wright,

19

NAYS:

Mr. Curtenius,
Dickey,
Gardner,

Mr. Gould,
McCauley,
McNaughton,

Mr. Smith,
Stevens,

8

Mr. Dickey moved to strike out section 38, which was lost as follows:

YEAS:

Mr. Curtenius,
Dickey,
Gould,
Harrington,

Mr. Lyon,
Moore,
McCauley,

Mr. McNaughton,
Smith,
Stevens,

10

NAYS:

Mr. Arzeno, Beeson, Fralick, Gardner, Goodrich, Hall, Harris,	Mr. Hixson, Johnson, Kent, Leonard, McCauley, Newberry, Paddock,	Mr. Pierce, Russell, Snow, Stowell, Twombly, Wright,	20
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Mr. Dickey moved to strike out all after the enacting clause, which prevailed as follows :

YEAS :

Mr. Clarke, Curtenius, Dickey, Goodrich, Gould, Harrington,	Mr. Harris, Hixson, Johnson, Kent, Leonard,	Mr. Lyon, Moore, McCauley, Smith, Stevens,	16
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NAYS :

Mr. Beeson, Fralick, Gardner, Newberry,	Mr. Paddock, Pierce, Russell,	Mr. Snow, Stowell, Twombly,	10
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The enacting clause, on motion of Mr. Snow, was indefinitely postponed.

The 6th named bill, being a bill to amend section 2 of chapter 103 of revised statutes of 1846, relative to trial of issue of fact, was taken up. The bill was ordered to be read a third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno, Clarke, Curtenius, Dickey, Fralick, Gardner, Goodrich, Gould, Griswold,	Mr. Hall, Harrington, Harris, Hixson, Johnson, Kent, Leonard, Lyon, Moore,	Mr. McCauley, Paddock, Pierce, Russell, Snow, Smith, Stevens, Twombly, Wright,	27
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NAYS : 0

The 7th named bill, being a bill to amend sections 54, 55, 58, 59 and 60 of chapter 93 of the revised statutes of 1846, relative to proceedings in justice's court,

Was taken up, the bill ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Paddock,	
Beeson,	Harris,	Pierce,	
Clarke,	Hixson,	Russell,	
Curtenius,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Dickey,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	Newberry,		29
			0

NAYS:

The bill was ordered by a two-thirds vote of all the Senators elect to take immediate effect.

The eighth named bill, being

A bill relating to what evidence may be given in actions for the recovery of lands, tenements or real estate,

Was taken up, the bill ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Pierce,	
Beeson,	Harris,	Russell,	
Clarke,	Hixson,	Snow,	
Fralick,	Johnson,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	Paddock,		26

NAYS:

Mr. Curtenius, 1

The ninth named bill, being

A bill to amend section 91 of chapter 20, of the revised statutes,

Was taken up, when

On motion,

The bill was laid on the table.

The tenth named bill, being

A bill to provide for the publication of probate and other legal notices,

Was taken up.

Mr. Pierce moved to strike out all after the enacting clause.

Lost.

The bill was ordered to be read a third time, was so read and passed by the following two-thirds vote:

YEAS:

Mr. Arzeno,	Mr. Hiram,	Mr. Paddock,	
Clarke,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Goodrich,	Leonard,	Smith,	
Gould,	Lyon,	Stevens,	
Hall,	McCanby,	Stowell,	
Harrington,	McNaughton,	Twombly,	
Harris,	Newberry,	Wright,	24

NAYS:

Mr. Beeson,	Mr. Dickey,	Mr. Pierce,	
Curtenius,	Gardner,		5

On motion of Mr. Griswold,

A bill to amend sections 19, 21 and 41, of chapter 172 of the revised statutes of 1846, and to repeal the third section of an act entitled an act to amend chapter 172 of the revised statutes of 1846, approved April 8, 1848,

Was laid on the table.

The President announced a message from the Executive, on Executive business.

On motion,

The Senate went into Executive session.

When the Executive session had closed,

On motion of Mr. Clarke,

A bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Mary, approved February 5, 1853,

Was taken from the table.

Mr. Fralick moved to strike out all after the enacting clause.

Pending which,

Mr. Dickey moved to amend, by striking out all after the word "that," in the fifth line of section 1.

Lost, as follows:

YEAS:

Mr. Curtenius, Dickey, Kent,	Mr. Moore, McNaughton, Paddock,	Mr. Pierce, Twombly,	8
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NAYS:

Mr. Arzeno, Beeson, Clarke, Fralick, Gardner, Goodrich, Gould,	Mr. Griswold, Hall, Harrington, Harris, Hixson, Johnson, Leonard,	Mr. Lyon, McCauley, Russell, Snow, Smith, Stevens, Stowell,	21
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The question recurring upon the motion of Mr. Fralick, the same prevailed, as follows:

YEAS:

Mr. Arzeno, Fralick, Gardner, Gould, Hall, Harris,	Mr. Hixson, Johnson, Kent, Leonard, Lyon,	Mr. Moore, McCauley, Russell, Snow, Twombly,	16
-------------------------------------------------------------------	-------------------------------------------------------	----------------------------------------------------------	----

NAYS:

Mr. Beeson, Clarke, Curtenius, Dickey, Goodrich,	Mr. Griswold, Harrington, McNaughton, Newberry, Paddock,	Mr. Pierce, Smith, Stevens, Wright,	14
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On motion of Mr. Arzeno,

The last vote was reconsidered, and the bill laid on the table.

On motion of Mr. Leonard,

The committee of the whole were discharged from the bill making an appropriation in aid of the State Agricultural Society, and the House tax bill, by the following vote:

YEAS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Fralick, Goodrich, Gould, Griswold,	Mr. Hall, Harrington, Harris, Hixson, Kent, Leonard, Lyon,	Mr. McCauley, McNaughton, Newberry, Russell, Snow, Smith, Stevens,	22
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NAYS:

Mr. Dickey,
Gardner,Mr. Johnson,
Paddock,

Mr. Pierce,

5

The first named bill being under consideration,

Mr. Gould moved to amend section 1, line 2, by striking out the word "thousand," and inserting "hundred."

Lost.

Also to strike out the first section; which was lost, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Gould,
Griswold,Mr. Hall,
Kent,
McCauley,Mr. Newberry,
Pierce,
Smith,

10

NAYS:

Mr. Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Harrington,Mr. Harris,
Hixson,
Johnson,
Leonard,
Lyon,
Moore,Mr. McNaughton,
Paddock,
Russell,
Snow,
Stowell,
Wright,

19

Mr. Fralick moved to insert in line 3 of section 2, after the word "and," "when so completed;" which prevailed.

Also, to amend by striking out of same section, lines 4 and 5, and of line 6, to and including the word "shall;" which prevailed.

Mr. Griswold moved to amend, by adding the following to section one:

And also the sum of one thousand dollars each for the years 1853 and 1854, to the Detroit Commercial College, for commercial and mechanical purposes.

Which, on motion of Mr. McCauley,

Was laid on the table, by the following vote:

YEAS.

Mr. Curtenius,
Dickey,
Fralick,
Gardner,
Harrington,
Hixson,
Johnson,Mr. Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,
Paddock,Mr. Russell,
Snow,
Smith,
Stowell,
Twombly,
Wright,

20

NAYS:

Mr. Arzeno,
Beeson,
Clarke,

Mr. Gould,
Griswold,
Hall,

Mr. Harris,
Newberry,
Pierce,

9

Mr. Pierce offered an amendment to the bill.

Pending which,

Mr. McNaughton moved the previous question,

Which was ordered, as follows:

YEAS:

Mr. Curtanius,
Fralick,
Gardner,
Goodrich,
Hall,
Harrington,
Harris,

Mr. Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. McNaughton,
Russell,
Snow,
Smith,
Twombly,
Wright,

20

NAYS:

Mr. Arzeno,
Beeson,
Clarke,
Dickey,

Mr. Gould,
Griswold,
Newberry,

Mr. Paddock,
Pierce,
Stowell,

10

The main question being upon ordering the bill to be read a third time, the same prevailed as follows:

YEAS:

Mr. Curtanius,
Dickey,
Fralick,
Gardner,
Goodrich,
Hall,
Harrington,

Mr. Hixson,
Johnson,
Kent,
Leonard,
Moore,
McCauley,
McNaughton,

Mr. Paddock,
Russell,
Snow,
Stowell,
Twombly,
Wright,

20

NAYS:

Mr. Arzeno,
Beeson,
Clarke,
Gould,

Mr. Griswold,
Harris,
Lyon,

Mr. Newberry,
Pierce,
Smith,

10

Mr. Pierce moved to re-commit the bill to the committee on agriculture, with instructions to incorporate the following amendment:

“Provided, That all premiums and medals awarded by said society, shall be awarded to the person or persons raising the smallest crop or smallest creature, providing the person presenting the crea-

ture or article, or raised the crop, did as much as the person raising the crop, and that no charge shall be made for admission.

Which motion,

On motion of Mr. Snow,

Was laid on the table by the following vote :

YEAS.

Mr. Curtenius, Dickey, Fralick, Gardner, Goodrich, Hall,	Mr. Harrington, Hixson, Johnson, Moore, McCauley, McNaughton,	Mr. Paddock, Russell, Snow, Stowell, Twombly, Wright,	18
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NAYS :

Mr. Arzeno, Beeson, Clarke, Gould,	Mr. Griswold, Harris, Kent,	Mr. Leonard, Lyon, Pierce, Smith,	11
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Mr. Snow moved the previous question, which was ordered by the following two-thirds vote :

YEAS :

Mr. Curtenius, Dickey, Fralick, Gardner, Goodrich Hall, Harrington,	Mr. Harris, Hixson, Johnson, Kent, Leonard, Lyon, Moore,	Mr. McCauley, McNaughton, Paddock, Russell, Snow, Twombly, Wright,	21
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NAYS :

Mr. Arzeno, Beeson, Clarke,	Mr. Gould, Griswold, Newberry,	Mr. Pierce, Smith, Stowell,	9
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The main question being upon the passage of the bill, the same was passed by the following vote, being a majority of all the Senators elect :

YEAS:

Mr. Curtenius, Dickey, Fralick, Gardner, Goodrich, Harrington,	Mr. Hixson, Johnson, Leonard, Moore, McNaughton, Paddock,	Mr. Russell, Snow, Stowell, Twombly, Wright,	17
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NAYS

Mr. Arzeno,
Beeson,
Clarke,
Gould,
Griswold,

Mr. Hall,
Harris,
Kent,
Lyon,

Mr. McCauley,
Newberry,
Pierce,
Smith,

13

When, on motion,

The Senate adjourned.

Lansing, February 10, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Dayfoot,

Roll called; a quorum present.

The reading of the journal was dispensed with and the same approved.

PETITIONS PRESENTED.

By Mr. Griswold; a petition as follows:

To the members of the Senate and House of Representatives of the State of Michigan: The undersigned would respectfully represent that the Illinois Senate passed a bill on Monday, repealing the General Railroad Law, by a vote of 13 to 11.

SILAS W. STOWELL.

By Mr. Newberry; of F. W. Allen and others; J. Comstock and others; of M. Johnson and 49 others; of S. S. Fall and others; of Aug. Torry and others; of O. E. Bell and others; of Charles L. Hay and others, and of J. Price and others, asking the passage of a general railroad law.

By Mr. Johnson; of James Galloway and 223 others of Eaton county, with same prayer, together with the resolutions of a meeting of the citizens of Bellevue, which were read.

By Mr. Wright; of Geo. W. Morse and 205 others; of Henry Spencer and others, remonstrating against the passage of a general railroad law.

By Mr. Lyon; of Ezekiel W. Davis and others; of W. S. Gunn and others; of John Colton and others; of John W. Squires and others, asking the passage of a general railroad law.

By Mr. Twombly; of R. W. Landon and others, with a like prayer.

By Mr. Harris; of George Luther and others, with a like prayer.

All referred to committee on incorporations.

By Mr. Snow; of D. Mead and 88 others, of Blissfield, Lenawee county, for the passage of an act to repeal the charter of Cottonwood Swamp Turnpike Company, approved March 9, 1844.

Laid on the table.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 9, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate, that the House have concurred in the amendments of the Senate to

The bill prohibiting the manufacture of intoxicating beverages and the traffic therein;

And have ordered the bill as amended to be enrolled.

Very Respectfully,

D. P. BUSHNELL,
Clerk H. of Rep's.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 9, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

Preamble and joint resolutions instructing our Senators and requesting our Representatives in Congress, to act relative to a declaration of the views of the United States, relative to colonization on the American continent by European powers ;

And to respectfully inform the Senate that the House of Representatives have concurred therein.

Very respectfully,

D. P. BUSHNELL,
Clerk House of Rep's.

The preamble and resolution were ordered to be enrolled.

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 8, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House of Representatives have concurred in the amendments of the senate to

The bill to provide for taking the census and statistics of the State ;
And have ordered the bill as amended enrolled ;

I am also instructed to return to the Senate,

A bill to amend an act to incorporate the Native Copper Company ;

And to respectfully inform the Senate that the House of Representatives have concurred therein, by a vote of two-thirds of all the members elected, and by a like vote ordered that the same take effect immediately.

Also to transmit,

A bill to organize the township of Auchville, in the county of Tuscola ; and

A bill to incorporate the village of Hudson ;

Both which the House have passed, the first by a majority, and the last by a two-thirds vote of all the members elected, and have ordered by a like vote that each shall take effect immediately, and in all which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

The second named bill was ordered to be enrolled.

The third named bill was read twice and referred to the committee on towns and counties.

The fourth named bill, being a bill to incorporate the village of Hudson, was read twice and referred to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 10, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

1. A bill to provide for the incorporation of institutions of learning ;

2. A bill conferring additional powers on judges of probate, and providing for the administration of the estates of deceased persons.

3. A bill to amend section 22 of chapter 58 of the revised statutes of 1846.

4. A bill to amend sections 2, 27, 39, and 40, of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851.

5. A bill to authorize the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties.

6. A bill establishing police regulations for the preservation of property on the lines of railroads, and for other purposes.

7. A bill supplementary to an act entitled an act relative to surplus funds in the State Treasury ; being House bill of the present session.

8. A bill to amend sections 1, 4, and 6, of an act to provide for a State board of equilization ; and

9. A bill to provide for the collection of taxes in the township of Lynn, in the county of St. Clair, and to extend the time for the collection thereof,

All which the House have passed, the 1st, 2d, 3d and 9th, by a vote of two-thirds of all the members elected, and ordered by a like vote that they take effect immediately, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The first named bill was read twice and referred to the committee on education.

The second named bill was read twice and referred to the judiciary committee.

The third named bill was read twice and referred to the judiciary committee.

The fourth named bill was read twice and referred to the committee on incorporations.

The fifth named bill was read twice and referred to the committee on finance.

The sixth named bill was read twice and referred to the committee on incorporations.

The seventh named bill was read twice and referred to the finance committee.

The eighth named bill was read twice and referred to the committee on State affairs.

The ninth named bill, being House bill to provide for the collection of taxes in the township of Lynn, county of St. Clair, and to extend the time for the collection thereof ;

Was read twice, the rules were suspended, the bill ordered to be read the third time, was so read and passed by the following two-thirds vote :

YEAS :

Mr. Arseno,
Clarke,
Curtenius,
Fralick,
Gardner,
Goodrich,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,

Mr. McCauley,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Wright,

22

NAYS :

Mr. Dickey,
Gould,

Mr. McNaughton,
Newberry,

Mr. Paddock,
Pierce,

6

And the same by a like vote ordered to take immediate effect :

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 9, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

Joint resolution relative to the joint convention of the two Houses, to receive nominations from the Governor, and

A bill to provide for the draining of a certain lake in the township of Springfield, Oakland county;

Each of which the House have passed by a majority vote of all the members elect and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolution was read twice, the rules were suspended, the same was ordered to be read a third time, was so read and adopted by the following vote :

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Beeson,	Hixson,	Paddock,	
Curtenius,	Johnson,	Pierce,	
Dickey,	Kent,	Russell,	
Fralick,	Leonard,	Snow,	
Gardner,	Lyon,	Smith,	
Goodrich,	Moore,	Stevens,	
Gould,	McCauley,	Twombly,	
Hall,	McNaughton,	Wright,	27

NAYS:

0

The bill, being a bill to provide for the draining of a certain lake in the township of Springfield, Oakland county, was read twice, the rules were suspended, and the bill was ordered to be read a third time, was so read and passed, by the following vote :

YEAS:

Mr. Arzeno,	Mr. Hixson,	Mr. Pierce,	
Clarke,	Johnson,	Russell,	
Curtenius,	Kent,	Snow,	
Fralick,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	McCauley,	Stowell,	
Hall,	McNaughton,	Twombly,	
Harrington,	Newberry,	Wright,	
Harris,	Paddock,		26

NAYS:

Mr. Beeson,	Mr. Moore,	2
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And by a two-thirds vote of all the Senators elect, the same was ordered to take immediate effect.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 9, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to provide for the incorporation of railroad companies; and

A bill to provide for draining certain swamp lands;

Which the House have passed, each by a majority of all the members elected, and in which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,

Clerk of the House of Rep's.

The bill to provide for draining certain swamp lands, was read twice and referred to the committee on internal improvement.

A bill to provide for the organization of railroad companies, was read twice, when

Mr. Snow moved to lay the same on the table.

Lost, as follows:

YEAS:

Mr. Arzeno,
 Clarke,
 Gardner,
 Hixson,
 Johnson,

Mr. Kent,
 Leonard,
 Moore,
 McNaughton,

Mr. Newberry,
 Paddock,
 Snow,
 Stevens,

13

NAYS:

Mr. Beeson,
 Dickey,
 Fralick,
 Goodrich,
 Gould,
 Griswold,

Mr. Hall,
 Harrington,
 Harris,
 Hickok,
 Lyon,
 McCauley,

Mr. Pierce,
 Russell,
 Smith,
 Stowell,
 Twombly,
 Wright,

10

Mr. Griswold moved to refer to the committee on incorporations.

Mr. Snow moved to amend, so as to refer to the committee on internal improvement.

Lost, as follows:

YEAS.

Mr. Arzeno,
 Clarke,

Mr. Kent,
 Leonard,

Mr. Newberry,
 Paddock,

Gardner,
Hixson,
Johnson,

Moore,
McNaughton,

Snow,
Stevens,

13

NAYS.

Mr. Beeson,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hickok,
Lyon,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright,

18

The question recurring upon the motion of Mr. Griswold,

Mr. Arzeno moved to amend, so as to instruct the committee to report the same back to-morrow morning.

Mr. McNaughton moved to lay the bill on the table.

Lost, as follows:

YEAS :

Mr. Arzeno,
Clarke,
Gardner,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Moore,
McNaughton,

Mr. Newberry,
Paddock,
Snow,
Stevens,

13

NAYS :

Mr. Beeson,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hickok,
Lyon,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright,

19

The question recurring upon the motion of Mr. Arzeno, for instructions, the same was lost, as follows:

YEAS :

Mr. Arzeno,
Gardner,
Hickok,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Lyon,
Moore,
McNaughton,

Mr. Newberry,
Paddock,
Snow,
Stevens,

14

NAYS.

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,

Mr. Gould,
Griswold,
Hall,
Harrington,
Harris,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright,

18

The question then recurring upon the motion to refer to the committee on incorporations,

Mr. Arzeno moved to amend, so as to associate the committee on internal improvement.

Mr. Goodrich moved to amend the amendment, so as to include also the committee on State prison.

Pending which,

Mr. Snow moved to lay the bill on the table.

Lost, as follows:

YEAS:

Mr. Arzeno, Clarke, Gardner, Hixson, Johnson,	Mr. Kent, Leonard, Moore, McNaughton,	Mr. Newberry, Paddock, Snow, Stevens,	13
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NAYS:

Mr. Beeson, Curtenius, Dickey, Fralick, Goodrich, Gould,	Mr. Hall, Harrington, Harris, Hickok, Lyon, McCauley,	Mr. Pierce, Russell Smith, Stowell, Twombly, Wright,	18
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Mr. Snow then moved to adjourn until 2 o'clock, P. M.

Lost as follows:

YEAS:

Mr. Arzeno, Gardner, Hickok, Hixson,	Mr. Johnson, Kent, Leonard, Moore,	Mr. Paddock, Snow, Stevens,	11
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NAYS:

Mr. Beeson, Clarke, Curtenius, Dickey, Fralick, Goodrich, Gould,	Mr. Griswold, Hall, Harrington, Harris, Lyon, McCauley, McNaughton,	Mr. Newberry, Pierce, Russell, Smith, Stowell, Twombly, Wright,	21
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Mr. Arzeno moved to lay the whole subject on the table.

Lost as follows:

YEAS:

Mr. Arzeno, Clarke,	Mr. Johnson, Kent,	Mr. Newberry, Paddock,
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Gardner,
Hickok,
Hixson,

Leonard,
Moore,
McNaughton,

Snow,
Stevens, 14

NAYS:

Mr. Beeson,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyon,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright, 18

Mr. Hixon moved an adjournment until 2 o'clock P. M.

Lost as follows:

YEAS:

Mr. Arzeno,
Gardner,
Hickok,
Hixson,

Mr. Johnson,
Kent,
Leonard,
Moore,

Mr. Paddock,
Snow,
Stevens, 11

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyon,
McCauley,
McNaughton,

Mr. Newberry,
Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright, 21

The question recurring upon the amendment to Mr. Griswold's motion, the same,

On Motion of Mr. Stowell,

Was laid on the table, as follows:

YEAS.

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyon,
McCauley,

Mr. Pierce,
Smith,
Stowell,
Twombly,
Wright, 17

NAYS.

Mr. Arzeno,
Gardner,
Hickok,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Russell,
Snow,
Stevens, 14

The question recurring upon Mr. Griswold's motion to refer to committee on incorporations,

Mr. Johnson moved to amend, so as to refer to the committee on roads and bridges; which motion,

On motion of Mr. Gould,

Was laid on the table, as follows:

YEAS.

Mr. Beeson,	Mr. Griswold,	Mr. Pierce,	
Clarke,	Hall,	Russell,	
Curtenius,	Harrington,	Smith,	
Dickey,	Harris,	Stowell,	
Fralick,	Lyon,	Twombly,	
Goodrich,	McCauley,	Wright,	
Gould,			19

NAYS.

Mr. Arzeno,	Mr. Kent,	Mr. Newberry,	
Gardner,	Leonard,	Paddock,	
Hickok,	Moore,	Snow,	
Hixson,	McNaughton,	Stevens,	
Johnson,			13

Mr. Snow then moved to amend, so as to refer the bill to the committee on agriculture; which motion,

On motion of Mr. Gould,

Was laid on the table, as follows:

YEAS :

Mr. Beeson,	Mr. Griswold,	Mr. Russell,	
Clarke,	Hall,	Smith,	
Curtenius,	Harrington,	Stevens,	
Dickey,	Harris,	Stowell,	
Fralick,	Lyon,	Twombly,	
Goodrich,	McCauley,	Wright,	
Gould,	Pierce,		20

NAYS :

Mr. Arzeno,	Mr. Johnson,	Mr. McNaughton,	
Gardner,	Kent,	Newberry,	
Hickok,	Leonard,	Paddock,	
Hixson,	Moore,	Snow,	12

Mr. Snow then moved an adjournment, until 2 P. M.

Lost, as follows:

YEAS :

Mr. Arzeno,	Mr. Johnson,	Mr. McNaughton,	
Gardner,	Kent,	Paddock,	
Hickok,	Leonard,	Snow,	
Hixson,	Moore,	Stevens,	12

NAYS:

Mr. Beeson,	Mr. Griswold,	Mr. Pierce,
Clarke,	Hall,	Russell,
Curtenius,	Harrington,	Smith,
Dickey,	Harris,	Stowell,
Fralick,	Lyon,	Twombly,
Goodrich,	McCauley,	Wright,
Gould,	Newberry,	

20

Mr. Griswold then moved to indefinitely postpone the bill.

Pending which,

Mr. Snow moved to lay the bill on the table.

Lost, as follows:

YEAS:

Mr. Arzeno,	Mr. Kent,	Mr. Newberry,
Clarke,	Leonard,	Paddock,
Gardner,	Moore,	Snow,
Hixson,	McNaughton,	Stevens,
Johnson,		

13

NAYS:

Mr. Beeson,	Mr. Hall,	Mr. Pierce,
Curtenius,	Harrington,	Russell,
Dickey,	Harris,	Smith,
Fralick,	Hickok,	Stowell,
Gould,	Lyon,	Twombly,
Griswold,	McCauley,	Wright,

18

Mr. McNaughton moved an adjournment; but the Senate refused to adjourn, as follows:

YEAS.

Mr. Arzeno,	Mr. Kent,	Mr. Newberry,
Gardner,	Leonard,	Paddock,
Hickok,	Moore,	Snow,
Hixson,	McNaughton,	Stevens,
Johnson,		

13

NAYS:

Mr. Beeson,	Mr. Gould,	Mr. Pierce,
Clarke,	Hall,	Russell,
Curtenius,	Harrington,	Smith,
Dickey,	Harris,	Stowell,
Fralick,	Lyon,	Twombly,
Griswold,	McCauley,	Wright,

18

The question recurring upon Mr. Griswold's motion to postpone,

Mr. Snow moved to lay the same on the table.

Lost as follows, the Chair voting in the negative:

YEAS:

Mr. Arzeno,	Mr. Johnson,	Mr. McNaughton,	
Clarke,	Kent,	Newberry,	
Gardner,	Leonard,	Paddock,	
Hickok,	Lyon,	Snow,	
Hixson,	Moore,	Stevens,	15

NAYS:

Mr. Beeson,	Mr. Griswold,	Mr. Russell,	
Curtenius,	Hall,	Smith,	
Dickey,	Harrington,	Stowell,	
Fralick,	Harris,	Twombly,	
Goodrich,	McCauley,	Wright,	
Gould,	Pierce,		26

Mr. Griswold then withdrew his motion to postpone, and moved an adjournment until 2 o'clock, P. M.

Carried.

—
Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called ; a quorum present.

The President, by consent, announced the following message:

EXECUTIVE OFFICE, }
Lansing, Feb. 10, 1853. }

To the Senate and House of Representatives:

My attention has been particularly directed to an act recently passed, relating to the formation of corporations for mining purposes, &c. Some of its features are objectionable, and are worthy of your immediate consideration. Companies can be formed under it for manufacturing purposes, without any restrictions or limitations of importance. Few of the ordinary guards are thrown around the law. I see no reasonable objection to the provisions relative to mining, &c.; but the propriety of the power to form companies for manufacturing purposes, without any individual liability, or any of the ordinary restrictions, is very questionable. The State may be covered with them, and great danger is apprehended from it. The tax fixed by the act is comparatively small, and such distinction between companies and individuals cannot be approved. The measure, in my judgment, will have the effect of crippling individual enterprise.

As this is the last day that bills can be introduced into either House, without unanimous consent, I urgently recommend the subject to your attention, and respectfully suggest the propriety of confining the act to corporations connected with mining, &c., in which the people of the Upper Peninsula are interested.

R. McCLELLAND.

By consent, Mr. Twombly from the committee on enrolled bills, reported as correctly enrolled,

An act to amend an act to incorporate the Native Mining Company; also

Preamble and joint resolutions instructing our Senators and requesting our Representatives in Congress, to act relative to a declaration of the views of the United States, respecting colonization on the American continent, by European powers;

And the same were signed and presented to the Governor for his approval.

The House General Railroad bill being under consideration, and the question being on Mr. Griswold's motion to refer the bill to the committee on incorporations, a division of the question was called for, when

Mr. McNaughton moved to lay the bill on the table.

Lost as follows:

YEAS:

Mr. Arzeno,	Mr. Johnson,	Mr. Newberry,	
Clarke,	Kent,	Paddock,	
Gardner,	Leonard,	Snow,	
Hixson,	McNaughton,	Stevens,	12

NAYS:

Mr. Beeson,	Mr. Griswold,	Mr. Pierce,	
Curtenius,	Hall,	Russell,	
Dickey,	Harrington,	Smith,	
Fralick,	Harris,	Stowell,	
Goodrich,	Lyon,	Twombly,	
Gould,	McCauley,	Wright,	18

Mr. Arzeno moved a reconsideration of the last vote.

Lost as follows:

YEAS:

Mr. Arzeno,	Mr. Kent,	Mr. Paddock,	
Gardner,	Leonard,	Snow,	
Hixson,	McNaughton,	Stevens,	
Johnson,	Newberry,		11

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyon,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright,

19

Mr. Johnson moved a recall of the Senate, but the same was not ordered, as follows :

YEAS :

Mr. Arzeno,
Gardner,
Hickok,
Hixson,
Johnson,

Mr. Kent,
Leonard,
McNaughton,
Newberry,
Paddock,

Mr. Pierce,
Russell,
Snow,
Stevens,

14

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,

Mr. Gould,
Griswold,
Hall,
Harrington,
Harris,
Lyon,

Mr. McCauley,
Smith,
Stowell,
Twombly,
Wright,

17

The question recurring up on Mr. Griswold's motion,

Mr. Arzeno moved to lay the bill on the table.

Lost, as follows :

YEAS:

Mr. Arzeno,
Clarke,
Gardner,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Moore,
McNaughton,

Mr. Newberry,
Paddock,
Snow,
Stevens,

13

NAYS:

Mr. Beeson,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hickok,
Lyon,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright,

19

When, on motion of Mr. Johnson,

The Senate adjourned.

Lansing, February 11, 1853.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Knickerbacker.

Roll called ; a quorum present.

The reading of the journal was dispensed with, and the same was approved.

PETITIONS PRESENTED.

By Mr. Fralick: of John Diamond and 62 others; of Mary A. Wheelock and 91 others, asking the passage of a law prohibiting the manufacture and sale of intoxicating drinks.

Laid on the table.

Mr. Twombly: of S. R. Kelsey and 57 others, remonstrating against the passage of a general railroad law.

Referred to the committee on incorporations.

By Mr. Newberry: of E. Raynale and 40 others, asking the passage of a general railroad law.

Referred to the committee on incorporations.

By Mr. Johnson: remonstrance of Norman Little and others; of Franklin Alord and others; of M. B. Hess and others, of Saginaw county, against the bill authorizing the supervisors to loan the bonds of said county, to aid the construction of a plank road.

Referred to the committee on internal improvements.

By Mr. Curtenius: of Willard Dodge and 90 others; of D. S. Walbridge and 75 others, against the passage of a general railroad law.

Referred to the committee on incorporations.

By Mr. Russell: of Josiah Taylor and 75 other legal voters, of Oakfield, Kent county, to have said town set off to Montcalm county.

Referred to the committee on towns and counties.

REPORTS.

Mr. Snow, from the committee on incorporations, reported back A bill to incorporate the village of Hudson,

With an amendment, recommending its passage and ask to be discharged.

The report was accepted and the committee discharged.

The amendment, as follows, was concurred in:

Amend section 12 by striking out all relative to licensing taverns and groceries, and other places where spirituous or fermented liquors are sold, in lines 19, 20, 21 and 22.

The bill as amended was ordered to be read a third time, was so read and passed by the following two-thirds vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,
Beeson,	Hixson,	Pierce,
Clarke,	Johnson,	Russell,
Curtenius,	Kent,	Snow,
Dickey,	Leonard,	Smith,
Fralick,	Lyon,	Stevens,
Gardner,	Moore,	Stowell,
Goodrich,	McCauley,	Twombly,
Gould,	McNaughton,	Wright,
Griswold,		

28

NAYS:

Mr. Harrington,	Mr. Harris,	Mr. Paddock,	3
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And by a like vote, the same was ordered to take immediate effect.

Mr. Snow, from the committee on finance, reported back

A bill authorizing the Auditor General to settle with and allow to the county of Kent, certain moneys paid by said county on account of wolf bounties ;

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted, and the committee discharged.

The bill was ordered to be read the third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,
Griswold,	McNaughton,	Wright,
Hall,		

31

NAYS :

0

Mr. Harrington, from the committee on towns and counties, reported back

A bill to organize the township of Auchville, in the county of Tuscola,

With an amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the amendment as follows :

Strike out in 6th line of section 1, "all purposes whatsoever," and insert "judicial and representative purposes, until said Huron county shall be organized, when they shall be re-annexed to Huron county for all purposes whatsoever,"

Was concurred in, the bill as amended ordered to be read a third time, was so read and passed, by the following vote :

YEAS :

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. McNaughton,
Newberry,
Paddock,
Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

28

NAYS :

Mr. Pierce,

1

Mr. Stowell, from the committee on State affairs, reported back

A bill to amend 1, 4 and 6 of an act to provide for a State Board of equalization;

Adverse to its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill laid on the table.

Mr. Moore, from the committee on education, reported back

House bill to provide for the incorporation of institutions of learning;

With an amendment in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, and the committee discharged, and the amendment as follows, concurred in:

Add to written section 14:

Provided such institution shall in all respects conform to the provisions of section 2 of this act.

Mr. Gould moved to amend section 2, by striking out all after "incorporation," in the 8th line, to and including the written proviso.

Pending which,

A committee from the House, consisting of Messrs. Chittenden and Bates, was announced, who informed the Senate that the House would be ready at 12 o'clock, M., to receive the Senate in their Hall in joint convention, for the purpose of acting upon Executive nominations.

On motion of Mr. Stowell,

Senators Stowell and Curtenius were appointed to inform the House that the Senate were ready to meet the House, which committee soon reported that the House were in waiting.

The Senate then proceeded to the Hall of the House.

[For proceedings in joint convention, see House journal.]

When the Senate returned to their Chamber, the President announced that the two Houses had, in joint convention, advised and consented to the nomination of Gen. J. E. Schwarz, for Adjutant General.

On motion, the Senate adjourned until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

The Senate then resumed the consideration of the House bill for institutions of learning.

The question being upon Mr. Gould's motion to strike out, the same was lost, as follows:

YEAS :

Mr. Fralick,
Goodrich,
Gould,

Mr. Harrington,
Hixson,
Leonard,

Mr. McCauley,
Snow,
Smith,

Griswold,
Hall,

Lyon,

Twombly,

13

NAYS :

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Gardner,

Mr. Harris,
Johnson,
Kent,
McNaughton,
Newberry,
Paddock,

Mr. Pierce,
Russell,
Stevens,
Stowell,
Wright,

17

When, on motion of Mr. Griswold,

The bill was laid on the table, as follows:

YEAS:

Mr. Clarke,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Kent,
Leonard,

Mr. McCauley,
Snow,
Smith,
Twombly,
Wright,

16

NAYS:

Mr. Arzeno,
Beeson,
Curtenius,
Dickey,
Gardner,

Mr. Johnson,
Lyon,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Stevens,
Stowell,

15

Mr. Johnson, from the committee on internal improvement, reported back.

House bill to provide for draining certain swamp lands;

With amendments, in which the concurrence of the Senate was asked, and from which the committee asked to be discharged.

The report was accepted, the committee discharged.

Mr. McNaughton moved to lay the bill on the table and order it printed.

Lost as follows:

YEAS:

Mr. Beeson,
Curtenius,
Dickey,
Fralick,

Mr. Gardner,
Griswold,
Hixson,
McCauley,

Mr. McNaughton,
Pierce,
Stevens,

11

NAYS:

Mr. Clarke,
Goodrich,
Gould,

Mr. Johnson,
Kent,
Leonard,

Mr. Snow,
Smith,
Stowell,

Hall,
Harrington,
Harris,

Lyon,
Moore,
Russell,

Twombly,
Wright,

17

The question being upon concurring in the amendments of the committee, the same were concurred in, by the following vote, the Chair voting in the affirmative :

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,

Mr. Gardner,
Hixson,
Johnson,
Kent,
Leonard,

Mr. Moore,
Pierce,
Snow,
Stevens,
Wright,

15

NAYS:

Mr. Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Lyon,
McCauley,
Newberry,

Mr. Paddock,
Russell,
Smith,
Stowell,
Twombly,

15

Mr. Goodrich moved to reconsider the vote by which the amendments were concurred in.

Mr. Arzeno moved to lay the bill and motion on the table.

Lost, as follows :

YEAS:

Mr. Arzeno,
Beeson,
Dickey,

Mr. Gardner,
Hixson,
Kent,

Mr. Leonard,
Moore,
Snow,

9

NAYS:

Mr. Clarke,
Curtenius,
Fralick,
Goodrich,
Griswold,
Hall,
Harrington,

Mr. Harris,
Johnson,
Lyon,
McCauley,
Newberry,
Paddock,

Mr. Pierce,
Russell,
Smith,
Stevens,
Stowell,
Twombly,

19

The question recurring upon the motion of Mr. Goodrich, the same prevailed as follows :

YEAS:

Mr. Clarke,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Lyon,
McCauley,
Newberry,
Paddock,

Mr. Russell,
Smith,
Stowell,
Twombly,
Wright,

17

NAYS:

Mr. Arzeno, Beeson, Curtenius, Dickey, Gardner,	Mr. Hixson, Johnson, Kent, Leonard, Moore,	Mr. McNaughton, Pierce, Snow, Stevens,	14
-------------------------------------------------------------	--------------------------------------------------------	-------------------------------------------------	----

The amendments were then non-concurred in, by the following vote:

YEAS:

Mr. Arzeno, Beeson, Clarke, Curtenius,	Mr. Dickey, Gardner, Hixson, Johnson,	Mr. Kent, Leonard, Snow, Stevens,	12
-------------------------------------------------	------------------------------------------------	--------------------------------------------	----

NAYS:

Mr. Fralick, Goodrich, Griswold, Hall, Harrington, Harris,	Mr. Lyon, McCauley, McNaughton, Newberry, Paddock, Pierce,	Mr. Russell, Smith, Stowell, Twombly, Wright,	17
---------------------------------------------------------------------------	---------------------------------------------------------------------------	-----------------------------------------------------------	----

The bill was ordered to be read a third time, was so read, when

Mr. Goodrich moved a call of the Senate; which was ordered.

The roll was called, and Mr. Hickok was absent without leave.

Mr. Stowell asked and obtained leave of absence for Mr. Hickok for the remainder of the session, on account of sickness.

On motion of Mr. Goodrich,

All further proceedings under the call were dispensed with.

The bill was then passed, by the following vote:

YEAS:

Mr. Clarke, Goodrich, Gould, Griswold, Hall, Harrington,	Mr. Harris, Lyon, McCauley, Newberry, Paddock, Russell,	Smith, Stevens, Stowell, Twombly, Wright,	17
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NAYS:

Mr. Arzeno, Beeson, Curtenius, Dickey, Fralick,	Mr. Gardner, Hixson, Johnson, Kent, Leonard,	Mr. Moore, McNaughton, Pierce, Snow,	14
-------------------------------------------------------------	----------------------------------------------------------	-----------------------------------------------	----

Mr. Snow, from the finance committee, reported

A joint resolution authorizing the board of State auditors to allow certain claims against the State.

Which was read twice, and the rules were suspended.

The resolution was ordered to be read a third time, was so read and adopted by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Snow,
Clarke,	Hixson,	Smith,
Dickey,	Kent,	Stowell,
Goodrich,	Lyon,	Twombly,
Gould,	McCauley,	Wright,
Griswold,	Newberry,	

17

NAYS:

Mr. Beeson,	Mr. Harrington,	Mr. McNaughton,
Curtenius,	Johnson,	Paddock,
Fralick,	Leonard,	Pierce,
Gardner,	Moore,	Russell,
Hall,		

13

Mr. Snow, from the finance committee, reported back

A bill supplementary to an act entitled an act relative to surplus funds in the treasury ;

Being House bill of the present session, No. 72, with a substitute, recommending its adoption, and asking to be discharged from the further consideration thereof.

The report was accepted, and the committee discharged.

The substitute was adopted.

The bill was ordered to be read a third time, was so read and passed, by the following vote :

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stowell,
Goodrich,	Moore,	Twombly,
Gould,	McCauley,	Wright,
Griswold,	McNaughton,	

29

NAYS :

0

And by a two-thirds vote of all the Senators elect, the same was ordered to take immediate effect.

Mr. Gould, from the judiciary committee, reported by unanimous consent,

A bill to amend sections 5 and 6, of an act to organize the county of Cheboygan ;

Which was read twice, the rules suspended and the bill ordered to be read a third time, was so read and passed by the following vote :

YEAS :

Mr. Arzeno,	Mr. Hall,	Mr. McNaughton,	
Beeson,	Harrington,	Newberry,	
Clarke,	Harris,	Paddock,	
Curtenius,	Hixson,	Pierce,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	30

NAYS :

0

And the same was orderered by a two-thirds vote of all the Senators elect, to take immediate effect.

Mr. Gould, from the judiciary committee, reported back

A bill to amend section 22 of chapter 58 of the revised statutes of 1846 ;

Recommending its passage and asked to be discharged.

The report was accepted, the committee discharged.

On motion of Mr. Moore,

The same was laid on the table.

Mr. Gould, from the judiciary committee, reported back,

A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons,

Recommending its passage and asked to be discharged from its consideration.

The report was accepted and the committee discharged.

On motion of Mr. Dickey,

The bill was laid upon the table.

Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend sections 2, 27, 30 and 40, of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851,

Recommending its passage and asking to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Pierce moved to lay the bill on the table and order it printed.

Which did not prevail.

The bill was ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Snow,	
Clarke,	Harris,	Smith,	
Curtenius,	Lyon,	Stevens,	
Fralick,	Moore,	Stowell,	
Goodrich,	McCauley,	Twombly,	
Gould,	McNaughton,	Wright,	
Hall,	Russell,		20

NAYS:

Mr. Beeson,	Mr. Kent,	Mr. Paddock,	
Dickey,	Leonard,	Pierce,	
Gardner,	Newberry,		8

And the same was ordered by a vote of two-thirds of the Senators elect to take immediate effect.

Mr. Goodrich, from the committee on incorporations, reported back

A bill establishing police regulations for the preservation of property on the lines of rail roads, and for other purposes,

Without recommendation, asking to be discharged from its further consideration.

The report was accepted and the committee discharged.

On motion of Mr. Griswold,

The bill was laid on the table.

MESSAGES.

The President announced the following :

EXECUTIVE OFFICE, }
Lansing, February 10, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act to incorporate the Native Copper company, approved March 31, 1849.

Preamble and joint resolutions instructing our Senators and requesting our Representatives in Congress to act relative to a declar-

ation of the views of the United States, respecting colonization on the American Continent by European powers.

R. McCLELLAND.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 10, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to respectfully inform the Senate that the House have concurred in the report of the committee of conference, on the disagreement between the two Houses, on the bill to prevent the wilful and malicious destruction of fruit, shade and ornamental trees, to wit: That the House concur in the Senate substitute for the bill, and have ordered the bill thus amended to be enrolled.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 10, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to return to the Senate,

1. A bill for the construction of public offices at the seat of government at Lansing,

Which the House have passed by a majority vote of all the members elect, with amendments, and have ordered by a two-thirds vote to take immediate effect.

Also, to transmit

2. A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1851, and to extend the time for the collection thereof; and

3. A bill to amend section 3 of an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company,

Which the House have passed by a two-thirds vote of all the members elect, and by a like vote have ordered the same to take immediate effect; also

4. A bill appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia;

5. A bill to amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851; and

6. A bill authorizing the county of Saginaw to loan its bonds to aid in the construction of a plank road;

Which the House have passed by a majority vote of all the members elect, and in all which the concurrence of the Senate is respectfully asked.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The House amendment to the first named bill was non-concurred in, by the following vote:

YEAS:

Mr. Arzeno,
Gould,
Hall,
Harrington,
Kent,

Mr. Leonard,
Moore,
McCauley,
McNaughton,

Mr. Pierce,
Russell,
Smith,
Wright,

13

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,

Mr. Goodrich,
Griswold,
Harris,
Hixson,
Johnson,
Lyon,

Mr. Paddock,
Snow,
Stevens,
Stowell,
Twombly,

17

The second named bill was read twice and referred to the committee on finance.

The third named bill was read twice and referred to the committee on incorporations.

The fourth named bill was read twice and referred to the committee on roads and bridges.

The fifth was read twice and referred to the committee on education.

And the sixth was read twice and referred to the judiciary committee.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 10, 1863. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A joint resolution relative to the assessment of certain property in the cities of Detroit and Monroe;

Which the House have passed, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was read twice and referred to the committee on finance.
Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 10, 1863. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

1. Joint resolution relative to an exchange of lots with the First Presbyterian Church Society of Lansing;

In which the House have concurred by a majority vote of all the members elect.

Also, to transmit

2. A bill to provide for the re-survey of the public highways in the township of White Pigeon, in the county of St. Joseph;

Which the House have passed, and ordered to take immediate effect by a vote of two-thirds of all the members elect. Also,

3. A bill to amend chapter 94 of the revised statutes of 1846, entitled of criminal proceedings before justices of the peace; and

4. A bill for the compensation of judges of probate,

Which the House have passed by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The joint resolution was ordered enrolled.

The second named bill was read twice, and the rule being suspended, ordered to be read a third time, was so read and passed, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Paddock,
Beeson,	Harrington,	Pierce,
Clarke,	Harris,	Russell,
Curtenius,	Hixson,	Snow,
Dickey,	Johnson,	Smith,
Fralick,	Kent,	Stevens,
Gardner,	Leonard,	Stowell,
Goodrich,	Moore,	Twombly,
Gould,	McCauley,	Wright,
Griswold,	McNaughton,	

29

NAYS:

0

And the same was ordered to take immediate effect by a two-thirds vote of all the Senators elect.

The second and third named bills were read twice, and referred to the judiciary committee.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 11, 1853. }

To the President of the Senate:

SIR:—I am instructed by the House of Representatives to return to the Senate,

A bill to amend an act to incorporate the president, directors and company of the Farmers' & Merchants' Bank of Ann Arbor;

Which the House have passed by a vote of two-thirds of all the members elected, with amendments, in which they ask that the Senate concur.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The House amendments to the above named bill were concurred in by a vote of two-thirds of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Paddock,
Beeson,	Harrington,	Pierce,
Clarke,	Harris,	Russell,

Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Hixson,
Johnson,
Kent,
Leonard,
Moore,
McCauley,
McNaughton,

Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

29

NAYS:

9

And the same as amended was ordered to be enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 11, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

1. A bill to amend an act entitled an act to incorporate the village of Jackson, approved April 3, 1848,

Which the House have passed by a two-thirds vote of all the members elect; also,

2. A bill to amend act No. 90 of the session laws of 1851, entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1851; also,

A bill relating to telegraph operators, and others;

Which the House have passed by a vote of two-thirds of all the members elected, and by a like vote ordered to take immediate effect, in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bills were severally read twice, and the rule being suspended, the same were severally ordered to be read a third time, were so read, and the first named passed by the following two-thirds vote, of all the Senators elect:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,

Mr. Griswold,
Hall,
Harrington,
Hixson,

Mr. Moore,
McCauley,
McNaughton,
Paddock,

Dickey,
Fralick,
Goodrich,
Gould,

Johnson,
Kent,
Leonard,
Lyon,

Snow,
Smith,
Stevens,
Wright,

24

NAYS:

Mr. Pierce,

1

The second named bill was passed by the following two-thirds vote, of all the Senators elect:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. McNaughton,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Wright,

28

0

NAYS:

The third named bill was passed, by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. McNaughton,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

30

NAYS:

0

And the same was ordered to take immediate effect by a two-thirds vote of all the Senators elect.

And also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 11, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

1. Preamble and joint resolution relative to certain State building lands;

2. A bill to complete the judicial organization of the State; and
3. A bill to revise an act entitled an act to provide for the removal of the State Land Office to the Seat of Government;

All which the House have passed, the second and third by a two-thirds vote of all the members elected, and ordered by a like vote that they severally take immediate effect, and in all which the concurrence of the Senate is respectfully asked

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The resolution and bills were severally read twice, and referred as follows: the first and second named were referred to the committee on judiciary, and the third named to the committee on State affairs.

The President also announced a message from the Executive, upon Executive business.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Clarke,

A bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Mary, approved February 5, 1853, was taken from the table.

The question being on striking out all after the enacting clause,

Mr. Gould offered the following amendment to section 2, which was adopted.

Provided that the amount so charged to the general fund, may be re-imbursed to the State from the tolls upon said canal, in such manner as shall be provided by law, in case said amount shall not be re-imbursed by the United States Government.

The question recurring upon striking out all after the enacting clause, the same did not prevail. The bill was then ordered to be read a third time, was so read, when, by unanimous consent, Mr. Clarke was permitted to offer the following amendment, which prevailed:

Sec. 2, line 3, insert after "taxes" the words "assessed within the period fixed upon in such contract, and."

The question was then taken upon the passage of the bill, and the same was passed, as follows:

YEAS :

Mr. Beeson,	Mr. Harrington,	Mr. Paddock,
Clarke,	Johnson,	Pierce,
Curtenius,	Kent,	Smith,
Dickey,	Leonard,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Wright,
Griswold,	McNaughton,	

20

NAYS:

Mr. Fralick,	Mr. Hixson,	Mr. Snow,
Hall,	Lyon,	
Harris,	Russell,	

7

The same was ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

On motion of Mr. Snow,

A joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate to Charles Chandler, administrator of the estate of James M. Donald, deceased,

Was taken from the table, ordered to be read a third time, was so read and passed by the following vote:

YEAS :

Mr. Beeson,	Mr. Harrington,	Mr. Paddock,
Clarke,	Harris,	Pierce,
Curtenius,	Hixson,	Russell,
Dickey,	Johnson,	Snow,
Fralick,	Kent,	Smith,
Gardner,	Leonard,	Stevens,
Goodrich,	Lyon,	Stowell,
Gould,	Moore,	Wright,
Griswold,	McCauley,	
Hall,	McNaughton,	

28

NAYS :

0

The same was ordered to take immediate effect by a two-thirds vote of all the Senators elect.

On motion,

The Senate adjourned.

Lansing, February 12, 1858.

The Senate was called to order by the President.

Prayer by the Rev. Mr. Chatfield.

Roll called ; a quorum present.

The reading of the journal of preceding day was dispensed with, and the same was approved.

PETITIONS PRESENTED.

By Mr. McNaughton: of Bradner Jones and others; of Abram F. Bolton and others, relative to the rail road conspirators, so called.

Referred to the select committee on that subject.

REPORTS OF STANDING COMMITTEES.

Mr. Moore, from the committee on education, reported back

A bill to amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851,

Without recommendation, and asking to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was laid on the table.

Mr. Snow, from the committee on finance, reported back

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1852, and to extend the time for the collection thereof,

Recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was ordered to be read a third time, was so read and passed by the following two-thirds vote of all the Senators elect:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Fralick,
Gardner,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. Newberry,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Twombly,
Wright,

26

NAYS:

Mr. Pierce,

Mr. Stowell,

2

And by a like vote ordered to take immediate effect.

Mr. Snow, from the finance committee, reported back

House joint resolution relative to the assessment of certain property in the cities of Detroit and Monroe,

Without recommendation, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

On motion of Mr. Snow,

The resolution was laid on the table, as follows:

YEAS:

Mr. Beeson,	Mr. Griswold,	Mr. Newberry,
Clarke,	Hall,	Paddock,
Curtenius,	Harrington,	Pierce,
Dickey,	Harris,	Russell,
Fralick,	Kent,	Snow,
Gardner,	Moore,	Smith,
Goodrich,	McCauley,	Twombly,
Gould,		

22

NAYS.

Mr. Arzeno,	Mr. Leonard,	Mr. Stevens,
Hixson,	Lyon,	Stowell,
Johnson,	McNoughton,	Wright,

9

Mr. Twombly, from the committee on enrolled bills, reported correctly enrolled,

A bill to amend an act to incorporate the president, directors and company of the Farmers' & Merchants' Bank of Ann Arbor; also,

A joint resolution relative to an exchange of lots with the First Presbyterian Society at Lansing, and that the same were signed and presented to the Governor for his approval.

Mr. Griswold, from the judiciary committee, reported back

A bill to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road,

Recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Johnson moved to amend as follows:

Insert in line 1, section 3, after "said company shall," the following: "build and complete one-half of said plank road, then said bonds, to the amount of half the amount so voted by the voters shall

be issued to said plank road company, and the balance shall be issued as soon as said plank road shall be completed, and shall," which prevailed by the following vote :

YEAS.

Mr. Arzeno,	Mr. Hall,	Mr. Pierce,	
Beeson,	Hixson,	Russell,	
Clarke,	Johnson,	Snow,	
Curtenius,	Kent,	Smith,	
Dickey,	Leonard,	Stevens,	
Fralick,	McNaughton,	Twombly,	
Gardner,	Paddock,	Wright,	21

NAYS :

Mr. Goodrich,	Mr. Harrington,	Mr. McCauley,	
Gould,	Harris,	Newberry,	
Griswold,			7

Mr. Pierce moved to amend section 2 as follows :

" Provided however that no tax shall be assessed upon the property lying in the county of Saginaw for the payment of said bonds without the universal consent of the owners of said property be signified to the board of supervisors, in writing signed by them."

Which was lost.

The bill was ordered to be read a third time, was so read and lost on its passage as follows :

YEAS.

Mr. Clarke,	Mr. Harris,	Mr. Newberry,	
Fralick,	Johnson,	Smith,	
Goodrich,	Kent,	Stevens,	
Gould,	McCauley,	Stowell,	
Hall,			13

NAYS :

Mr. Arzeno,	Mr. Hixson,	Mr. Pierce,	
Beeson,	Leonard,	Russell,	
Curtenius,	Moore,	Snow,	
Dickey,	McNaughton,	Twombly,	
Gardner,	Paddock,	Wright,	15

Mr. Gould moved to reconsider the vote by which the same was lost.

Pending which,

Mr. Gould moved a call of the Senate, which was ordered.

The roll was called, and Messrs. Harrington and Hickok were absent, Mr. Harrington without, and Mr. Hickok with leave.

The Sergeant at-Arms was despatched for the absentee, when all the proceedings under the call were dispensed with.

The question recurring upon Mr. Gould's motion, the vote was reconsidered, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harris,
Johnson,
Kent,
Leonard,

Mr. Lyon,
Newberry,
Smith,
Stevens,
Stowell,

16

NAYS:

Mr. Beeson,
Curtenius,
Dickey,
Gardner,
Hixson,

Mr. Moore,
McCauley,
McNaughton,
Paddock,

Mr. Pierce,
Russell,
Snow,
Twombly,

13

Mr. McNaughton moved to lay the bill on the table; which was lost.

The question being on the passage of the bill, the same was passed, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Fralick,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Johnson,
Leonard,
Lyon,

Mr. Newberry,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

18

NAYS:

Mr. Beeson,
Curtenius,
Dickey,
Gardner,
Hixson,

Mr. Kent,
Moore,
McCauley,
McNaughton,

Mr. Paddock,
Pierce,
Russell,
Snow,

13

Mr. Hixson, from the committee on roads and bridges, reported back

House bill appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia, without recommendation, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was ordered to be read a third time, was so read and passed by the following vote:

YEAS :

Mr. Fralick, Goodrich Gould, Griswold, Hall, Harris,	Mr. Hixson, Leonard, Lyon, Moore, McCauley, Newberry,	Mr. Russell, Smith, Stevens, Stowell, Twombly,	17
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NAYS :

Mr. Arzeno, Beeson, Clarke, Curtenius, Dickey,	Mr. Gardner, Harrington, Kent, McNaughton,	Mr. Paddock, Pierce, Snow, Wright,	13
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Mr. Gould, from the judiciary committee, reported back House joint resolution relative to certain State building lands, Recommending its passage and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The resolution was ordered to be read a third time, was so read and lost on its passage, as follows:

YEAS.

Mr. Curtenius, Goodrich, Gould, Harris,	Mr. Leonard, Lyon, Pierce,	Mr. Russell, Smith, Stevens,	10
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NAYS.

Mr. Arzeno, Clarke, Dickey, Fralick, Gardner, Hall,	Mr. Harrington, Hixson, Johnson, Kent, Moore, McCauley,	Mr. McNaughton, Paddock, Snow, Stowell, Twombly,	17
--------------------------------------------------------------------	------------------------------------------------------------------------	--------------------------------------------------------------	----

Mr. Gould moved to reconsider the vote by which the bill was lost. Which prevailed.

Mr. Fralick moved to recommit the resolution to the judiciary committee, with instructions to strike out all that portion of the resolution which related to the issuing of a patent to Sibley or his assigns.

Which prevailed, by the following vote:

YEAS:

Mr. Arzeno, Beeson, Clarke, Fralick, Gardner, Griswold,	Mr. Hall, Harrington, Hixson, Kent, McCauley,	Mr. McNaughton, Newberry, Snow, Stowell, Twombly,	16
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NAYS.

Mr. Curtenius, Dickey, Goodrich, Gould, Harris,	Mr. Johnson, Leonard, Lyon, Moore, Paddock,	Mr. Pierce, Russell, Smith, Stevens, Wright,	15
-------------------------------------------------------------	---------------------------------------------------------	----------------------------------------------------------	----

Mr. Gould moved to reconsider the last vote.

Mr. McNaughton moved to lay the whole subject on the table.

Which prevailed, as follows :

YEAS:

Mr. Beeson, Clarke, Dickey, Fralick, Gardner, Goodrich, Hall,	Mr. Harrington, Hixson, Johnson, Kent, Leonard, Moore,	Mr. McCauley, McNaughton, Newberry, Paddock, Snow, Twombly,	19
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NAYS:

Mr. Arzeno, Curtenius, Gould, Griswold,	Mr. Harris, Lyon, Pierce, Russell,	Mr. Smith, Stevens, Stowell, Wright,	12
--------------------------------------------------	---------------------------------------------	-----------------------------------------------	----

Mr. Goodrich, from the committee on incorporations, reported back Senate bill to amend an act entitled an act to amend an act to incorporate the Detroit & Maumee Railroad Company ;

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Arzeno moved to lay the bill on the table.

Lost, as follows :

YEAS:

Mr. Arzeno, Gardner, Hixson, Johnson, Kent,	Mr. Leonard, Moore, McNaughton, Newberry, Paddock,	Mr. Pierce, Smith, Stevens, Wright,	14
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NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,

Mr. Gould,
Griswold,
Hall,
Harrington,
Harris,
Lyon,

Mr. McCauley,
Russell,
Snow,
Stowell,
Twombly,

17

The bill was ordered to be read a third time, by the following vote :

YEAS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyon,
McCauley,

Mr. Pierce,
Russell,
Smith,
Stowell,
Twombly,
Wright,

19

NAYS:

Arzeno,
Gardner,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Moore,
McNaughton,

Mr. Newberry,
Paddock,
Snow,
Stevens,

12

It was so read, and lost on its passage, two-thirds of all the Senators elect not voting therefor, as follows:

YEAS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,

Mr. Gould,
Griswold,
Hall,
Harrington,
Harris,
Lyon,

Mr. McCauley,
Pierce,
Russell,
Smith,
Stowell,
Twombly,

18

NAYS:

Mr. Arzeno,
Gardner,
Hixson,
Johnson,
Kent,

Mr. Leonard,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Snow,
Stevens,
Wright,

13

Mr. Griswold moved to reconsider the vote by which the bill was lost.

Mr. Arzeno moved to lay the motion on the table.

Lost, as follows:

YEAS:

Mr. Arzeno,
Gardner,

Mr. Leonard,
Moore,

Mr. Pierce,
Snow,

Hixson,
Johnson,
Kent,

McNaughton,
Newberry,
Paddock,

Stevens,
Wright,

14

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,

Mr. Gould,
Griswold,
Hall,
Harrington,
Harris,
Lyon,

Mr. McCauley,
Russell,
Smith,
Stowell,
Twombly,

17

The question recurring upon Mr. Griswold's motion, the same prevailed, as follows:

YEAS.

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,

Mr. Gould,
Griswold,
Hall,
Harrington,
Harris,
Lyon,

Mr. McCauley,
Pierce,
Russell,
Smith,
Stowell,
Twombly,

18

NAYS:

Mr. Arzeno,
Gardner,
Hixson,
Johnson,
Kent,

Mr. Leonard,
Moore,
McNaughton,
Newberry,

Mr. Paddock,
Snow,
Stevens,
Wright,

13

On motion of Mr. Griswold,

The bill was laid upon the table.

The President, by consent, announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 12, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return herewith,

A bill for the construction of public offices at the seat of government, at Lansing,

And to respectfully inform the Senate that the House insist in the amendment thereto, and have appointed Messrs. Fitch, Chittenden and Gale, a committee of conference on the part of the House, and respectfully ask the appointment of a like committee on the part of the Senate.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

Mr. Griswold moved that the Senate insist in its non-concurrence in the House amendment to

A bill for the construction of public offices at the seat of government, at Lansing,

And appointed Senators Stowell, Gould and McNaughton, as a committee of conference on the part of the Senate, upon the disagreement of the two Houses upon said bill.

Mr. Gould from the judiciary committee, reported back

A bill to complete the judicial organization of the State,

Recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill ordered to be read a third time, was so read and passed, by the following vote:

YEAS :

Mr. Beeson,
Clarke,
Curtenius,
Fralick,
Goodrich,
Gould,
Hall,
Harrington,

Mr. Harris,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Russell,
Smith,
Stowell,
Twombly,
Wright,

23

NAYS :

Mr. Arzeno,
Dickey,

Mr. Pierce,

Mr. Snow,

4

And by a two-thirds vote of all the Senators elect, the same was ordered to take immediate effect.

Mr. Gould, from the judiciary committee, reported back

A bill to amend chapter 94 of the revised statutes of 1846, entitled of criminal proceedings before justices of the peace, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was laid on the table.

Mr. Gould, from the judiciary committee reported back

A bill for the compensation of judges of probate,

Without recommendation, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. McNaughton moved to strike out all after the enacting clause.

Which prevailed.

On motion of Mr. Dickey,

The enacting clause was indefinitely postponed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Griswold moved to discharge the committee of the whole from

A bill to amend section 7 of chapter 72 of the revised statutes,

Which prevailed

The bill was then ordered to be read a third time, was so read and passed by the following vote:

YEAS:

Mr. Clarke,	Mr. Harris,	Mr. Paddock,	
Curtenius,	Hoxon,	Russell,	
Dickey,	Kent,	Snow,	
Frailick,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	McCauley,	Stowell,	
Griswold,	McNaughton,	Twombly,	
Hall,	Newberry,	Wright,	24

NAYS:

Mr. Beeson,	Mr. Moore,	Mr. Pierce,	3
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Mr. McNaughton moved to take from the table,

A bill to provide for the erection of a prison for the purpose of solitary confinement, and making an appropriation therefor, which prevailed.

Mr. Gould moved to strike out in 1st line, section 2, "within the walls or," which prevailed.

On motion,

The Senate adjourned until 2 o'clock P. M.

Afternoon Session.

2 o'clock.

The Senate was called to order by the President.

Roll called; a quorum present.

The President announced the following:

HOUSE OF REPRESENTATIVES. }
Lansing, February 12, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Marys, approved February 8th, 1853;

Which the House have passed, and ordered to take immediate effect, by a two-thirds vote of all the members elect.

The bill was ordered to be enrolled.

Respectfully, &c.,

D. P. BUSHNELL,
Clerk House of Rep's.

Also the following :

HOUSE OF REPRESENTATIVES. }
Lansing, February 12, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate;

1. A bill to provide for the payment of specific taxes to counties in the Upper Peninsula ;

2. A bill to amend section 6 of an act to continue for a limited time the charter of the Farmers' & Mechanics' Bank of Michigan ; and

3. Joint resolution to authorize the Commissioner of the State Land Office to grant the right of way to the Oakland & Ottawa Railroad Company ;

All which the House have passed by a two-thirds vote of all elected, and have ordered the first and second by a two-thirds vote, to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,
Clerk House of Rep's.

The first named bill was read twice, the rules were suspended, and the bill ordered to be read a third time, was so read and passed, by the following vote:

YEAS.

Mr. Arzeno,
Beeson,
Clarke,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harris,
Harrington,
Hickson,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

28

NAYS.

0

The second named bill was read twice, being

A bill to amend section 6 of an act to continue for a limited time, the charter of the Farmer's and Mechanic's Bank of Michigan.

Mr. Gould moved the following amendment:

After the word "treasurer" in the first line of section 6, insert the following words, "by the first day of March, of the present year, and" which was adopted.

The rules were suspended, the bill was ordered to be read a third time, was so read, when,

Mr. Gould moved a call of the Senate, which was ordered.

Roll called, and Mr. Curtenius was found absent without leave.

The Sergeant at-arms was directed to procure the attendance of the absentee.

On motion of Mr. Dickey,

All further proceedings under the call were dispensed with.

The bill was then passed by the following two-thirds vote of all the Senators elect :

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Gardner,
Gould,
Griswold,
Hall,

Mr. Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McNaughton,
Paddock,
Russell,
Smith,
Stevens,
Twombly,
Wright,

22

NAYS:

Mr. Dickey,
Fralick,
Goodrich,

Mr. Harrington,
McCauley,
Newberry,

Mr. Pierce,
Snow,
Stowell,

9

And by a like vote the same was ordered to take immediate effect.

The third named resolution was read twice, and the same was laid upon the table.

The Senate resumed the consideration of the bill for the erection of a prison for the purpose of solitary confinement, &c.,

When the bill was read a third time.

Mr. Fralick moved to lay the bill on the table.

Lost, as follows:

YEAS:

Mr. Clarke, Fralick, Gould,	Mr. Harrington, Harris, McCauley,	Mr. Newberry, Snow, Smith,	9
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NAYS:

Mr. Arzeno, Curtenius, Goodrich, Hall, Hixson, Johnson,	Mr. Kent, Leonard, Lyon, Moore, McNaughton, Paddock,	Mr. Pierce, Russell, Stevens, Stowell, Twombly, Wright,	18
------------------------------------------------------------------------	---------------------------------------------------------------------	------------------------------------------------------------------------	----

Mr. Griswold moved to recommit the bill with instructions to add a new section as follows:

Sec. — That no moneys shall be drawn from the State Treasury for the benefit or use of said prison, unless especially authorized by law;

Which did not prevail.

The bill was then passed by the following vote:

YEAS:

Mr. Arzeno, Beeson, Curtenius, Gardner, Goodrich, Hall, Hixson,	Mr. Johnson, Kent, Leonard, Moore, McNaughton, Paddock,	Mr. Pierce, Russell, Stevens, Stowell, Twombly, Wright,	19
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NAYS:

Mr. Clarke, Dickey, Fralick, Gould,	Mr. Griswold, Harrington, Harris, Lyon,	Mr. McCauley, Newberry, Snow, Smith,	12
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Mr. Griswold moved to reconsider the last vote,

Which was lost as follows:

YEAS:

Mr. Clarke,
Curtenius,
Dickey,
Fralick,
Gould,

Mr. Griswold,
Harrington,
Harris,
Kent,

Mr. Lyon,
McCauley,
Snow,
Smith,

13

NAYS:

Mr. Arzeno,
Beeson,
Curtenius,
Gardner,
Goodrich,
Hall,

Mr. Hixson,
Johnson,
Leonard,
McNaughton,
Paddock,
Pierce,

Mr. Russell,
Stevens,
Stowell,
Twombly,
Wright,

17

The title was amended so as to read as follows :

A bill to provide for the erection of a prison for the purposes of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor.

On motion of Mr. Goodrich,

A bill to incorporate the village of Flint,

Was taken up, and the same was considered as in committee of the whole.

Several amendments were then made thereto, and the same were reported back and concurred in, in gross.

The bill was ordered to be read a third time, was so read and passed by the following two-thirds vote of all the Senators elect:

YEAS :

Mr. Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,

Mr. McNaughton,
Paddock,
Russell,
Snow,
Smith,
Stevens,
Stowell,

23

NAYS:

Mr. Newberry,

Mr. Pierce,

2

And by a like vote was ordered to take immediate effect.

On motion of Mr. Dickey,

A bill to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850; and also to amend an act

entitled an act to incorporate the village of Battle Creek, approved April 4, 1851.

Was taken from the table, ordered to be read a third time, was so read, and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Beeson,	Mr. Harrington,	Mr. Paddock,
Clarke,	Harris,	Pierce,
Curtenius,	Johnson	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Sevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,
Griswold,	McNaughton,	Wright,
Hall,		

28

NAYS:

0

And the same by a like vote was ordered to take immediate effect.

On motion of Mr. Johnson,

A bill to incorporate the village of Zilwaukie,

Was taken from the table, ordered to be read a third time, was so read, and passed by the following two-thirds vote, of all the Senators elect:

YEAS.

Mr. Beeson,	Mr. Hixson,	Mr. Pierce,
Clarke,	Johnson,	Russell,
Curtenius,	Leonard,	Snow,
Gardner,	Lyon,	Smith,
Goodrich,	Moore,	Stevens,
Hall,	McCauley,	Stowell,
Harrington,	McNaughton,	Wright,
Harris,	Paddock,	

23

NAYS:

Mr. Fralick,	Mr. Newberry,	Mr. Twombly,
Kent,		

4

And the same was, by a like vote, ordered to take immediate effect.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill supplementary to an act to provide for the construction of a ship canal around the Falls of St. Mary's, approved February 5, 1853,

And that the same was signed and presented to the Governor for his approval.

Mr. Stowell then moved that the Senate go into Executive session. Which prevailed.

When the Executive session closed,

The President announced the following:

EXECUTIVE OFFICE,
Lansing. February 12, 1853.

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing.

R. McCLELLAND.

On motion of Mr. Stevens,

Senate bills 79 80. 83 and 94, were taken from the table.

Bill No. 79, being a bill to amend section 3 of an act entitled an act to incorporate the Paw Paw and Allegan plank road company, approved March 25, 1850,

Was ordered to be read a third time, was so read and passed by a vote of two-thirds of all the Senators elect, as follows:

YEAS:

Mr. Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
Paddock,

Mr. Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

25

NAYS:

Mr. Gould,

And by a like vote the same was ordered to take immediate effect.

The 2d bill, No. 80, being

A bill to amend section four of an act entitled an act relative to plank roads, approved March 13, 1818, and all acts amendatory thereto,

Was ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Clarke,
Curtenius,
Dickey,
Frutick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,
Harrington,

Mr. Harris,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,
Newberry,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twinbly,
Wright,

28

NAYS:

0

And the same was by a like vote ordered to take immediate effect:

The third bill, No. 85, being

A bill to amend section 2 of an act entitled an act to incorporate the Paw Paw plank road company,

Was then ordered to be read a third time, was so read and passed by a two-thirds vote of all the Senators elect, as follows:

YEAS:

Mr. Arzeno,
Clarke,
Curtenius,
Dickey,
Frutick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twinbly,
Wright,

28

NAYS:

Mr. Newberry,

1

And the same was, by a like vote, ordered to take immediate effect.

The 4th named bill being

A bill authorizing the board of supervisors of the county of Van Buren to loan the credit of said county to certain plank road companies,

Was taken up.

Mr. Twombly moved to strike out all after the enacting clause,
Which was lost, as follows:

YEAS :

Mr. Dickey, Gould, Hall,	Mr. Hixson, Lyon, Pierce,	Mr. Russell, Stowell, Twombly,	9
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NAYS:

Mr. Arzeno, Beeson, Clarke, Curtenius, Fralick, Gardner, Goodrich,	Mr. Griswold, Harris, Kent, Leonard, Moore, McCauley, McNaughton,	Mr. Newberry, Paddock, Snow, Smith, Stevens, Wright,	20
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The bill was ordered to be read a third time, was so read and lost on its final passage, as follows:

YEAS:

Mr. Arzeno, Clarke, Curtenius, Gardner,	Mr. Goodrich, Gould, Harris, Leonard,	Mr. Moore, McCauley, McNaughton, Stevens,	12
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NAYS:

Mr. Beeson, Dickey, Fralick, Griswold, Hall, Harrington,	Mr. Hixson, Kent, Lyon, Newberry, Paddock, Pierce,	Mr. Russell, Snow, Smith, Stowell, Twombly, Wright,	18
-------------------------------------------------------------------------	-------------------------------------------------------------------	--------------------------------------------------------------------	----

Mr. Gould reported back, by consent, a preamble and resolution relative to State building lands, amended in accordance with instructions, and asked to be discharged from its further consideration.

The amendment, as follows, was concurred in:

In line 2 of the resolution, strike out the words "be directed to," and insert "may in his discretion, after an examination of the facts."

The bill was ordered to be read a third time, was so read and passed by the following vote:

YEAS :

Mr. Arzeno, Beeson, Clarke,	Mr. Griswold, Hall, Harris,	Mr. McNaughton, Newberry, Paddock,
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Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,

Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Russell,
Smith,
Stevens,
Twombly,
Wright,

26

NAYS:

Mr. Harrington,
Hixson,

Mr. Pierce,
Snow,

Mr. Stowell,

5

By consent, the President announced the following message:

HOUSE OF REPRESENTATIVES, }
Lansing, February 12, 1853. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to return to the Senate,

1. A bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne.

2. Joint resolution relative to refunding moneys twice paid for certain primary school lands.

3. A bill to amend sections 3 and 4 of an act to define the limits, jurisdiction and powers of the circuit courts.

4. A joint resolution for the relief of Almon Whipple.

5. A bill to provide for the discharge of certain duties required to be performed by circuit court commissioners.

6. A bill relative to the University Interest fund.

7. A bill to provide for the transfer of the records, files, books, papers and judgments in the county courts to the circuit courts.

8. A bill in aid of the Michigan Asylums.

9. A bill to provide for the appointment of an additional circuit court commissioner for the county of Wayne,

10. Joint resolution authorizing the Board of State Auditors to allow certain claims against the State.

11. A bill to amend section 61, of chapter 14 of the revised statutes.

12. A bill to amend section 2 of an act entitled "an act to incorporate the Michigan Mining Company."

13. A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon; and also for liquidating and funding

the amount of principal and interest actually due upon the part-paid five million loan bonds approved April 1, 1843.

All which the House have passed, the 8th, 12th and 13th by a two-thirds vote of all the members elect, the 8th with an amendment in which the concurrence of the Senate is respectfully asked, and have passed the remainder by a majority vote, and have ordered the 1st, 5th, 7th and 9th to take immediate effect by a two-thirds vote of all the members elect.

Also, to transmit

14. A bill to amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851;

Which the House have passed by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The six first named were ordered enrolled.

The Senate amendment to the seventh named was concurred in, by the following vote:

YEAS :

Mr. Benson,	Mr. Harrington,	Mr. Newberry,	
Clarke,	Harris,	Paddock,	
Curtenius,	Johnson,	Snow,	
Dickey,	Kent,	Smith,	
Fralick,	Leonard,	Stevens,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	McNaughton,		23

NAYS :

Mr. Pierce,	Mr. Russell,	2
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And the same as amended was ordered enrolled.

The eighth named bill, to which there was an amendment, being announced,

Mr. Gould moved to lay the bill on the table.

Lost.

The amendment was then non-concurred in, as follows:

YEAS:

Mr. Beeson,
Curtenius,
Dickey,
Fralick,
Goodrich,
Griswold,

Mr. Johnson,
Kent,
Leonard,
Moore,
McCauley,

Mr. Smith,
Stevens,
Stowell,
Twombly,
Wright,

16

NAYS:

Mr. Arzeno,
Clarke,
Gardner,
Gould,
Hall,

Mr. Harrington,
Harris,
Hixson,
Lyon,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,

15

Mr. Goodrich moved to reconsider the last vote.

Mr. Gould moved to lay the subject on the table.

Lost, as follows:

YEAS:

Mr. Arzeno,
Gardner,
Gould,
Hall,

Mr. Harris,
Hixson,
Johnson,
Lyon,

Mr. McNaughton,
Paddock,
Pierce,
Snow,

12

NAYS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Goodrich,
Griswold,

Mr. Griswold,
Harrington,
Kent,
Leonard,
Moore,
McCauley,

Mr. Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

18

The question recurring on the motion of Mr. Goodrich, the vote was reconsidered, as follows:

YEAS:

Mr. Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Griswold,

Mr. Hall,
Harrington,
Johnson,
Kent,
Leonard,
Lyon,
Moore,

Mr. McCauley,
Russell,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

22

NAYS:

Mr. Arzeno,
Gould,
Harris,

Mr. Hixson,
McNaughton,
Paddock,

Mr. Pierce,
Snow,

8

Mr. Gould moved to lay the bill on the table.

Lost, as follows:

YEAS:

Mr. Clarke, Curtenius, Dickey, Fralick, Griswold,	Mr. Hall, Harrington, Leonard, McCauley, Russell,	Mr. Smith, Stevens, Stowell, Twombly,	14
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NAYS:

Mr. Arzeno, Beeson, Gardner, Goodrich,	Mr. Gould, Hixson, Johnson,	Mr. Lyon, McNaughton, Pierce,	10
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Mr. McNaughton moved to adjourn to 7 o'clock P. M.

Lost, as follows:

YEAS:

Mr. Arzeno, Curtenius, Goodrich, Griswold, Johnson,	Mr. McCauley, McNaughton, Paddock, Pierce,	Mr. Russell, Smith, Stevens, Stowell,	13
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NAYS:

Mr. Beeson, Clarke, Dickey, Fralick, Gardner, Gould,	Mr. Hall, Harrington, Harris, Hixson, Kent, Leonard,	Mr. Lyon, Moore, Snow, Twombly, Wright,	17
---------------------------------------------------------------------	---------------------------------------------------------------------	-----------------------------------------------------	----

Mr. Goodrich moved to adjourn until half-past 6 o'clock P. M.

Lost, as follows:

YEAS:

Mr. Clarke, Curtenius, Goodrich, Griswold, Kent,	Mr. Lyon, McCauley, McNaughton, Newberry, Paddock,	Mr. Pierce, Smith, Stevens, Stowell, Wright,	15
--------------------------------------------------------------	----------------------------------------------------------------	----------------------------------------------------------	----

NAYS:

Mr. Arzeno, Beeson, Dickey, Fralick, Gardner,	Mr. Gould, Hall, Harrington, Harris, Hixson,	Mr. Johnson, Leonard, Moore, Snow, Twombly,	15
-----------------------------------------------------------	----------------------------------------------------------	---------------------------------------------------------	----

Mr. Clarke moved to adjourn until ten minutes of 7 o'clock, P. M.; which prevailed.

—

Evening Session.

The President called the Senate to order.

Roll called; a quorum present.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act relative to the University fund and the same was signed and presented to the Governor for his approval.

The Senate resumed the consideration of the Asylum bill.

The question being in concurring in the House amendment to the bill,

When Mr. Stowell moved a call of the Senate, which was ordered.

Roll called, and Messrs. Beeson, Clarke, Curtenius, Griswold and Moore were reported absent without leave, and Mr. Hickok with leave.

The Sergeant-at-arms was directed to procure the attendance of the absentees.

When on motion,

All further proceedings under the call were dispensed with.

Messrs. Fitch and Fray, a committee from the House were announced, and informed the Senate that the House was ready to meet the Senate in joint convention, pursuant to adjournment, to elect trustees for the Michigan Asylums.

When, on motion of Mr. Griswold,

The Senate proceeded to the Hall of the House, to meet that body in joint convention.

[For proceedings in joint convention see House journal.]

Upon returning, the President announced that the joint convention had made choice of Sheldon McKnight, Bela Hubbard, Perley J. Spalding, Israel Kellogg and James B. Walker, as such trustees.

Mr. Johnson moved an adjournment, which was lost as follows:

YEAS:

Mr. Arzeno,
Curtenius,
Gardner,

Mr. Griswold,
Johnson,
Newberry,

Mr. Stowell,
Wright,

NAYS:

Mr. Beeson,	Mr. Harris,	Mr. McCauley,
Clarke,	Hixson,	McNaughton,
Fralick,	Kent,	Paddock,
Goodrich,	Leonard,	Pierce,
Gould,	Lyon,	Russell,
Hall,	Moore,	Smith,
Harrington,		

19

The question recurring upon the motion to concur in the House amendment to the bill in aid of the Michigan Asylums, the same was concurred in by the following vote:

YEAS:

Mr. Arzeno,	Mr. Griswold,	Mr. Paddock,
Beeson,	Harrington,	Pierce,
Clarke,	Johnson,	Russell,
Curtenius,	Kent,	Smith,
Dickey,	Leonard,	Stevens,
Gardner,	Moore,	Wright,
Goodrich,	McNaughton,	

20

NAYS:

Mr. Fralick,	Mr. Hixson,	Mr. Newberry,
Gould,	Lyon,	Snow,
Hall,	McCauley,	Stowell,
Harris,		

10

The bill as amended was ordered enrolled.

The 9th, 10th, 11th, 12th and 13th named bills were severally ordered to be enrolled.

The 14th named bill, being

House bill to amend section 11, 14 and 21 of an act entitled an act to define the powers and duties of boards of supervisors of the several counties, and to confer upon them certain local and administrative and legislative powers, approved April 8, 1851,

Was read twice and referred to the committee on the division of towns and counties.

MESSAGES.

The following message was received from the Governor:

EXECUTIVE OFFICE,
Lansing, Feb. 10, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act supplementary to an act to provide for the construction of a ship canal around the Falls of St. Mary, approved February 5, 1853; and

An act relative to the University Interest Fund.

R. McCLELLAND.

By unanimous consent, Mr. Clarke introduced

A joint resolution relative to printing acts in relation to the St. Mary's Canal,

Which was read twice, the rules were suspended and the same was adopted, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Pierce,	
Beson,	Hixson,	Russell,	
Clarke,	Johnson,	Snow,	
Goodrich,	Kent,	Smith,	
Gould,	Leonard,	Stevens,	
Griswold,	Lyon,	Stowell,	
Hall,	McCauley,	Twombly,	
Harrington,	McNaughton,	Wright,	24

NAYS:

Mr. Curtenius,	Mr. Fralick,	Mr. Newberry,	
Dickey,	Gardner,	Paddock,	6

On motion,

House bill to provide for assessing property at its true value, and for levying and collecting taxes thereon,

Was taken from the table.

Mr. Griswold moved to lay the bill on the table.

Lost as follows:

YEAS:

Mr. Curtenius,	Mr. Hall,	Mr. Stowell,	
Dickey,	Johnson,	Wright,	
Griswold,	Pierce,		6

NAYS:

Mr. Arzeno,	Mr. Hixson,	Mr. Newberry,	
Beson,	Kent,	Paddock,	
Fralick,	Leonard,	Russell,	
Goodrich,	Lyon,	Snow,	
Gould,	Moore,	Smith,	
Harrington,	McCauley,	Stevens,	
Harris,	McNaughton,	Twombly,	21

Mr. Dickey moved that the bill be made the special order for Monday, at 8 o'clock, A. M.

Lost, as follows :

YEAS :

Mr. Beeson,
Curtenius,
Dickey,

Mr. Goodrich,
McCauley,

Mr. Newberry,
Wright,

7

NAYS :

Mr. Clarke,
Fralick,
Gardner,
Gould,
Griswold,
Hall,
Harrington,
Harris,

Mr. Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McNaughton,

Mr. Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,

22

Mr. Harris offered the following amendment, to stand as sections 162 and 163 :

Sec. 162. The board of supervisors of any organized county to which is attached any unorganized territory for judicial purposes, may appoint one or more assessors, who shall hold their office until others are appointed, to be duly qualified, whose duty it shall be to assess the property liable to taxation in such unorganized territory, in the same manner as is herein prescribed for the supervisors of organized towns, who shall take, complete, and deliver the same to the county clerk of such organized county, on or before the first day of October ; which roll shall be equalized and go to make the aggregate valuation of said county, the same as the other township rolls ; and the relative amount of State and county tax, together with the expense of assessment and collection, shall be apportioned to the property of said rolls, the same as that of the several townships. It shall be the duty of the county clerk to affix the taxes so apportioned to a true copy of said roll, to annex his warrant thereto, to deliver the same to the sheriff, who shall give bonds to the county treasurer that shall be approved by him, to collect and pay over the same in the time, manner, and under the same restrictions as is herein prescribed for town treasurers, to collect and pay to the county treasurer their several State and county taxes. Said assessors shall be empowered at any time before the first day of October, to make and

complete an assessment in any organized town that may fail or neglect to make or complete an assessment roll within the time required by this act, and shall deliver the same to the county clerk, who shall affix the taxes to a true copy thereof, and deliver the same to the sheriff of said county, who shall give bonds to the county treasurer, collect and pay over the same in like manner as is required for the unorganized portion of said counties.

Sec. 163. That all acts and parts of acts contravening the provisions of this act, be and the same are hereby repealed.

Which amendments were adopted.

Mr. Fralick moved the previous question which was sustained.

The main question being upon ordering the bill to be read a third time, the same prevailed.

The bill was so read a third time, and passed as follows :

YEAS:

Mr. Beeson,	Mr. Harrington,	Mr. Moore,	
Curtenius,	Harris,	McNaughton,	
Fradick,	Hixson,	Russell,	
Goodrich,	Kent,	Snow,	
Gould,	Leonard,	Smith,	
Hall,	Lyon,	Twombly,	18

NAYS:

Mr. Arzeno,	Mr. McCauley,	Mr. Pierce,	
Clarke,	Paddock,	Stowell,	
Johnson,			7

And the same was ordered by a vote of two-thirds of all the Senators elect, to take immediate effect.

Mr. Fralick moved to take from the table,

House bill to amend an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the act amendatory thereto, relative to primary schools, approved April 7, 1851,

Which prevailed.

The bill was ordered to be read a third time, was so read and passed by the following vote :

YEAS:

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,
Beeson,	Harrington,	Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,

Gardner,
Goodrich,
Gould,
Griswold,

Lyon,
Moore,
McCauley,
McNaughton,

Stevens,
Stowell,
Twombly,
Wright, 30

NAYS:

0

The bill was then ordered by a two-thirds vote of the Senators elect to take immediate effect.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill to provide for the transfer of the records, files, books, papers, and judgments, in the county courts to the circuit courts.

A bill to extend the time for the collection of taxes for the year 1853, in the city of Detroit in the county of Wayne.

A joint resolution relative to refunding money twice paid for certain primary school lands.

A joint resolution for the relief of Almon Whipple.

Which was signed and presented to the Governor for his approval.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled :

An act to amend section 2 of an act to incorporate the Michigan Mining Company;

An act to amend section 61 of chapter 14 of the revised statutes;

Joint resolution authorizing the Board of State Auditors to allow certain claims against the State;

And the same were severally signed and presented to the Governor for his approval.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 12, 1853. }

To the President of the Senate:

SIR—Herewith is transmitted

A bill for the construction of public offices at the seat of government at Lansing;

And I am instructed to respectfully inform the Senate that the House have refused to concur in the report of the committee of conference, on the part of the two Houses, and that the House adhere to their amendment to said bill.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

On motion of Mr. Gould,

The Senate receded from their non-concurrence in the House amendment thereto, by the following vote:

YEAS.

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Curtenius,	Johnson,	Pierce,	
Gould,	Kent,	Russell,	
Griswold,	Leonard,	Smith,	
Hill,	McCauley,	Stevens,	
Harrington,	McNaughton,	Wright,	18

NAYS.

Mr. Beeson,	Mr. Goodrich,	Mr. Paddock,	
Clarke,	Hixson,	Snow,	
Dickey,	Lyon,	Stowell,	
Fralick,	Moore,	Twombly,	
Gardner,			13

The Senate concurred in the House amendment to said bill, as follows:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Newberry,	
Curtenius,	Johnson,	Pierce,	
Gould,	Kent,	Russell,	
Griswold,	Leonard,	Smith,	
Hill,	McCauley,	Stevens,	
Harrington,	McNaughton,	Wright,	18

NAYS:

Mr. Beeson,	Mr. Goodrich,	Mr. Paddock,	
Clarke,	Hixson,	Snow,	
Dickey,	Lyon,	Stowell,	
Fralick,	Moore,	Twombly,	
Gardner,			13

And the bill as amended was ordered enrolled.

Mr. Paddock offered the following resolution:

Resolved, That the Auditor General be required to transmit to the township clerk of each organized township, three copies of the bill to provide for assessing property at its true value, and for levying and collecting taxes, by the first day of April next.

Which was adopted.

On motion,

The Senate adjourned until Monday morning, at 9 o'clock A. M

Lansing, February 14, 1853.

The President called the Senate to order at 9 o'clock A. M.

Roll called; a quorum present.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. McCauley: the remonstrance of sundry persons of Livingston county, against the passage of a general railroad law.

Laid on the table.

By Mr. Fralick: of sundry persons for the passage of the Maine liquor law.

Laid on the table.

MESSAGES.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 12, 1853.

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit herewith,

A bill authorizing the construction of the Mackinac road;

Which the House have passed by a majority vote, and by a two-thirds vote ordered to take immediate effect.

Also to return herewith,

A bill making appropriations for the State Normal School;

Which the House have passed by a majority vote; also,

A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may, or have occurred in that office,

Which the House have passed by a like vote, with amendments, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Reps.

The first named bill was read twice and laid upon the table, as follows:

YEAS:

Mr. Arzoo,
Curtains,
Dickey,

Mr. Harrington,
Hixson,
Kent,

Mr. Paddock,
Pierce,
Snow,

Fralick,
Gardner,
Gould,
Griswold,

Leonard,
Moore,
McCauley,
Newberry,

Smith,
Stowell,
Twombly,
Wright,

21

NAYS:

Mr. Clarke,
Goodrich,

Mr. Harris,
Lyon.

Mr. McNaughton,
Russell,

6

The second named bill was ordered enrolled.

The third named was laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES. }
Lansing, February 12, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return herewith,

A bill to provide for the erection of a prison for the purpose of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor;

Which the House have passed with amendments, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The amendments were concurred in, by the following vote:

YEAS:

Mr. Arzeno,
Clarke,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Hall,

Mr. Harrington,
Harris,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
McCauley,

Mr. McNaughton,
Newberry,
Paddock,
Pieree,
Russell,
Snow,
Twombly,
Wright,

24

NAYS:

0

And the bill as amended was ordered enrolled.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

1. An act for the construction of public offices at the seat of government, at Lansing;

2. An act to provide for the discharge of certain duties required to be performed by circuit court commissioners;

3. A bill to provide for the erection of a prison for the purposes of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor;

4. An act in aid of the Michigan Asylums;

5. A bill making appropriations for the State Normal School;

6. A bill to provide for an additional circuit court commissioner in the county of Wayne;

7. A bill to amend section 9 of an act to amend an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848;

And the same were signed and presented to the Governor for his approval.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 12, 1853. }

To the President of the Senate:

Sir—I am instructed by the House of Representatives to transmit to the Senate,

Joint resolution relative to an appropriation for the construction and improvement of the Northern Wagon Road;

Which the House have passed by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very Respectfully,

D. P. BUSHNELL,
Clerk of the House of Rep's.

On motion of Mr. Fralick,

The resolution was laid on the table.

The President announced the following:

EXECUTIVE OFFICE, }
Lansing, February 14, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for an additional circuit court commissioner for the county of Wayne.

R. McCLELLAND.

Also the following:

EXECUTIVE OFFICE,
Lansing, February 14, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act in aid of the Michigan Asylums;

An act to provide for the erection of a prison for the purposes of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor;

An act making appropriations for the State Normal School;

An act to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon, and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848;

An act to provide for the discharge of certain duties required to be performed by circuit court commissioners;

An act for the construction of public offices at the seat of government at Lansing.

B. McCLELLAND.

REPORTS.

Mr. Gould, from the judiciary committee, reported back a substitute for

A bill to amend sections 1, 4 and 6 of an act to provide for a State Board of Equalization,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted, and the committee discharged.

The substitute was adopted, the bill ordered to be read a third time, was so read and passed by the following vote:

YEAS :

Mr. Arzeno,
Clarke,
Fralick,
Gardner,
Gould,
Griswold,
Harrington,

Mr. Harris,
Kent,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Russell,
Snow,
Smith,
Twombly,
Wright,

NAYS:

Mr. Dickey, Hixson,	Mr. Johnson, Leonard,	Mr. Pierce, Stowell,	6
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Mr. Harrington, from the committee on towns and counties, reported back

A bill to set off from the county of Kent, townships number nine and ten north of range number nine west, and to annex the same to the county of Montcalm,

Without recommendation, and asking to be discharged from its further consideration.

The report was accepted and the committee discharged.

The bill was laid on the table.

Mr. Harrington, from the same committee, reported back

A bill to amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851,

Recommended its passage, and asked to be discharged from its further consideration.

The same was laid on the table.

The President, by consent, announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 14, 1853.

To the President of the Senate:

SIR—I am instructed by the House of Representatives to inform you that the House have concurred in the Senate amendment to House bill entitled

A bill to amend sections 1, 4 and 6 of an act to provide for a State Board of Equalization,

And that they have ordered said bill enrolled.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 14, 1853.

To the President of the Senate:

SIR:—I am instructed by the House of Representatives to return to the Senate,

Joint resolution relative to printing acts of the Legislature of 1853, in relation to St. Mary's Canal,

Which the House have passed by a majority vote.

Very respectfully,

D. P. BUSHNELL.

Clerk H. of Rep's.

The joint resolution was ordered to be enrolled.

Mr. Goodrich, from the committee on incorporations, reported back

A bill to amend section 3 of an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company, approved January 30. 1853,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

By consent, Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A joint resolution relative to printing acts of the Legislature of 1853, in relation to St. Mary's Canal,

And the same was signed and presented to the Governor for his approval.

The question recurring upon the bill reported by Mr. Goodrich,

Mr. Arzeno moved to lay the bill on the table.

Lost, as follows:

YEAS :

Mr. Arzeno,	Mr. Kent,	Mr. Paddock,	
Gardner,	Leonard,	Snow,	
Hixson,	Moore,	Stevens,	
Johnson,	McNaughton,	Wright,	12

NAYS :

Mr. Clarke,	Mr. Griswold,	Mr. Pierce,	
Curtenius,	Hall,	Russell,	
Dickey,	Harrington,	Smith,	
Fralick,	Harris,	Stowell,	
Goodrich,	Lyon,	Twombly,	
Gould,	McCauley,		17

Mr. Gardner moved to amend the bill, by adding thereto, Senate bill No. 9; and

On motion of Mr. Gould,

The bill and amendment were laid on the table, by the following vote:

YEAS :

Mr. Beeson,
Clarke,
Cartenius,
Fralick,
Gardrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyons,
McAuley,

Mr. Newberry,
Russell,
Smith,
Stowell,
Twombly,
Wright, 18

NAYS:

Mr. Arzeno,
Dickey,
Gardner,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Moore,
McNaughton,

Mr. Paddock,
Pierce,
Snow,
Stevens,

13

MOTIONS RESOLUTIONS AND NOTICES.

On motion of Mr. Fralick,

Senate bill No. 98, being

A bill to authorize the State Treasurer to receive from the general government certain moneys arising from the sale of swamp lands, and to authorize the Commissioner of the State Land Office to take an assignment of all warrants received for any of the swamp lands sold in this State since the act of Congress, approved September 28, 1850, was taken from the table.

Mr. Gould moved to amend by adding a new section, as follows:

Sec. 2 That in case any person at the time of the passage of the act of Congress, granting to the State of Michigan the swamp lands in this State, was in actual possession of any of said lands, and had made improvements thereon, with the intention of securing a pre-emption right, by virtue of the laws of Congress, or in case of actual purchase of the United States, he, his heirs or assigns, shall be entitled to purchase said lands at the minimum price of \$1 25 per acre, within one year after this act takes effect: *Provided*, Satisfactory evidence of such possession, improvements and intention, be filed with the Commissioner of the State Land Office before said lands are offered for sale, or before said lands are sold to any other person: *And provided also*, That no person shall be entitled to claim by pre-emption right, more than one hundred and sixty acres.

Which was adopted.

The bill was ordered to be read a third time, was so read and passed by the following vote:

YEAS :

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hixon,
Kent,
Leonard,
Lyon,
Moore,
McCauley,

Mr. McNaughton,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Twombly,
Wright,

28

NAYS :

0

And the same was ordered by a two-thirds vote of all the Senators elect to take immediate effect.

The title was then amended by adding, "and to provide for the pre-emption of swamp land sold."

On motion of Mr. Johnson,

Resolved, That the Senate now proceed to the election of a President pro tem of the Senate.

The Senate proceeded viva voce, to such election, with the following result :

FOR FIELDER S. SNOW.

Mr. Arzeno,
Hixson,
Johnson,

Mr. Kent,
Leonard,
Moore,

Mr. Newberry,
Stevens,

8

FOR GEORGE E. GRISWOLD.

Mr. Clarke,
Fralick,
Goodrich,
Gould,
Hall,

Mr. Harrington,
Harris,
Lyon,
McCauley,

Mr. Smith,
Sowell,
Twombly,
Wright,

13

FOR NATHAN PIERCE.

Mr. Beeson,
Curtenius,

Mr. Dickey,
Gardner,

Mr. McNaughton,
Paddock,

6

FOR HENRY FRALICK.

Mr. Russell,

Mr. Snow,

2

There being no election, the Senate proceeded to a second vote :

FOR FIELDER S. SNOW.

Mr. Arzeno,
Beeson,
Curtenius,

Mr. Johnson,
Kent,
Leonard,

Mr. Newberry,
Paddock,
Pierce,

1850.]

THE SENATE.

349

Gardner,
Hixson,Moore,
McNaughton,

Stevens,

14

FOR GEORGE R. GRISWOLD.

Mr. Clarke,
Fralick,
Goodrich,
Gould,
Hall,Mr. Harrington,
Harris,
Lyon,
McCauley,
Russell,Mr. Smith,
Stowell,
Twombly,
Wright,

14

FOR NATHAN PIERCE,

Mr. Dickey,

1

FOR F. PIERCE.

Mr. Griswold,

1

FOR HENRY FRALICK.

Mr. Snow,

1

There being no election, the third vote resulted as follows:

FOR FIELDER S. SNOW.

Mr. Arzeno,
Boeson,
Curtenius,
Gardner,
Hixson,Mr. Johnson,
Kent,
Leonard,
Moore,Mr. McNaughton,
Newberry,
Paddock,
Stevens,

13

FOR GEORGE R. GRISWOLD.

Mr. Clarke,
Dickey,
Fralick,
Goodrich,
Gould,Mr. Hall,
Harrington,
Harris,
Lyon,
McCauley,Mr. Russell,
Smith,
Stowell,
Twombly,
Wright,

15

FOR F. PIERCE.

Mr. Griswold,

1

FOR MOSES A. MC'NAUGHTON.

Mr. Pierce,

1

FOR HENRY FRALICK.

Mr. Snow,

1

There still being no election, the fourth vote resulted as follows:

FOR GEORGE R. GRISWOLD.

Mr. Clarke,
Fralick,
Goodrich,
Gould,
Hall,Mr. Harrington,
Harris,
Lyon,
McCauley,
Russell,Mr. Smith,
Stowell,
Twombly,
Wright,

14

FOR FIELDER S. SNOW.

Mr. Arzeno, Gardner, Hixson, Johnson,	Mr. Kent, Leonard, Moore,	Mr. McNaughton, Paddock, Stevens,	10
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FOR HENRY FRALICK.

Mr. Beeson, Dickey,	Mr. Newberry, Pierce,	Mr. Snow,	5
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FOR NATHAN PIERCE.

Mr. Curtenius.			1
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The fifth vote resulted in an election, as follows:

FOR GEORGE E. GRISWOLD.

Mr. Clarke, Curtenius, Dickey, Fralick, Goodrich, Gould,	Mr. Hall, Harrington, Harris, Lyon, McCauley,	Mr. Russell, Smith, Stowell, Twombly, Wright,	16
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FOR FIELDER S. SNOW.

Mr. Arzeno, Hixson, Kent,	Mr. Leonard, Moore,	Mr. Newberry, Stevens,	7
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FOR HENRY FRALICK.

Mr. Beeson, Gardner,	Mr. Johnson,	Mr. Snow,	4
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FOR CHARLES DICKEY.

Mr. Paddock,	Mr. Pierce,	2
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FOR NATHAN PIERCE.

Mr. McNaughton,	1
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FOR LUTHER W. CLARKE.

Mr. Griswold,	1
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Senator Griswold was then declared duly elected to the office of President pro tem of the Senate, and came forward and subscribed the constitutional oath of office, and took the chair.

Mr. Snow offered a joint resolution to suspend joint rule No. 10 as follows:

Joint resolution relative to suspending joint rule No. 10:

Resolved, by the Senate and House of Representatives of the State of Michigan, That joint rule No. 10 be and the same is hereby suspended, so far as the same may apply to Senate bill No. 98.

The resolution was adopted.

On motion of Mr. Dickey,

Resolved, That the thanks of this Senate are unanimously tendered to O. W. Moore, for the able, efficient and prompt manner with which he has discharged the duties of Secretary of the Senate during its present session.

The President, by consent, announced the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 14, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to amend sections 5 and 6 of an act to organize the county of Cheboygan,

Which the House have passed by a majority vote of all the members elect.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was ordered enrolled.

Also, the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 14, 1853. }

To the President of the Senate:

SIR—I am instructed to return to the Senate :

A bill to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works,

Which the House have passed by a two-thirds vote of all the members elect.

Very Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was ordered enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, February 14, 1863. }

To the President of the Senate :

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to amend section 17 and 18 of chapter 103 of the revised statutes of 1846, which the House have passed by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bill was ordered enrolled.

Mr. Twombly, from committee on enrolled bills, reported as correctly enrolled,

An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works, and the same was signed and presented to the Governor for his approval.

Mr. Twombly, from the committee on enrolled bills, reported correctly enrolled,

A bill making an appropriation to aid the Michigan State Agricultural Society, and to provide for publishing the annual reports of said Society;

And the same was signed and presented to the Governor for his approval.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill to amend sections 5 and 6 of an act to organize the county of Cheboygan;

And that the same was signed and presented to the Governor for his approval.

The President announced a message from the Executive, on Executive business.

On motion,

The Senate went into Executive session; and when closed,

Mr. Smith offered the following:

Resolved, That the thanks of this Senate are hereby tendered to John N. Ingersoll, for the able and impartial manner in which he has performed the duties of Reporter for the Senate, at the present session.

Which was adopted, by the following vote:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtis,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,

Mr. Hall,
Harrington,
Harris,
Hixson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

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NAYS:

Mr. Johnson,

1

Mr. Dickey offered the following, which was unanimously adopted:

Resolved, That the thanks of this Senate are hereby unanimously tendered to Hon. Andrew Parsons, for the uniform courtesy, kindness, dignity and promptness with which he has discharged the duties of President of the Senate during the present session.

The President announced the following:

HOUSE OF REPRESENTATIVES.
Lansing, February 14, 1853.

To the President of the Senate:

SIR—I am instructed to return

A bill making an appropriation to aid the Michigan State Agricultural Society, and to provide for publishing the annual reports of said society;

Which the House have passed by the constitutional majority.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill was ordered enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 14, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to amend section 2 of chapter 103 of the revised statutes of 1846, relative to issues of facts; also

A bill supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, and to repeal an act supplementary to said act, approved June 27, 1851;

Which the House have passed by a majority vote of all the members elect.

Respectfully,

D. P. BUSHNELL,

Clerk House of Rep's.

The bills were severally ordered enrolled.

And also the following:

EXECUTIVE OFFICE, }
Lansing, February 19, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection of taxes for the year 1853, in the city of Detroit, in the county of Wayne;

An act to provide for the transfer of the records, files, books, papers and judgments in the county courts, to the circuit courts;

An act to amend section 2 of an act entitled an act to incorporate the Michigan Mining company;

An act to amend section 61 of chapter 14 of the revised statutes;

Joint resolution relative to refunding money twice paid for certain primary school lands;

Joint resolution for the relief of Almon Whipple;

Joint resolution authorizing the Board of State Auditors to allow certain claims against the State.

R. McQUELLAND.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, and to repeal an act supplementary to said act, approved June 27, 1851;

And the same were signed and presented to the Governor for his approval.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 14, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to transmit to the Senate,

A bill to amend sections 1 and 2 of an act to authorize the Commissioner of the State Land Office to sell certain primary school lands;

Which the House have passed by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Also, to return

A bill to amend section 7 of chapter 72 of the revised statutes;

Which the House have passed by a majority of all the members elect, and ordered by a two-thirds vote to take immediate effect.

Respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The second named bill was ordered enrolled.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill to amend section 7 of chapter 72 of the revised statutes;

And the same was signed and presented to the Governor for his approval.

Also the following :

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 14, 1853. }

To the President of the Senate:

SIR—I am instructed by the House of Representatives to return to the Senate,

A bill to authorize certain State officers to convey certain land to the First Universalist Church, and the First Wesleyan Methodist Church and Society at Lansing;

Which the House have passed by a majority vote of all the members elect.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill was ordered enrolled.

Mr. Johnson offered the following:

Resolved, That the following bills and resolutions be taken up, viz:

House bill No. 28, to provide for the formation of railroad companies;

A bill to amend an act entitled an act to incorporate the Ripley Mining Company; also the Hungarian Mining Company; and also the Lake Superior and Mackinaw Mining Companies;

A bill to amend the charter of the Detroit and Port Huron Railroad;

A joint resolution relative to grants of land from Congress;

A joint resolution relative to the Oakland and Ottawa Railroad;

A bill to amend the Port Huron and Lake Huron Railroad charter;

A bill to amend the Pontiac and Genesee Railroad charter; and

A bill to amend the Detroit and Maunee Railroad charter.

Mr. Fraick moved to add, House joint resolution No. 7.

Mr. McNaughton moved to take up the general railroad bill.

Mr. Goodrich moved to lay the whole matter on the table; which prevailed, as follows:

YEAS.

Mr. Beeson,
Curtenius,
Dickey,
Fraick,
Goodrich,
Gould,

Mr. Griswold,
Hall,
Harrington,
Harris,
Lyon,
McCauley,

Mr. Russell,
Smith,
Stowell,
Twombly,
Wright,

NAYS:

Mr. Arzeno,
Clarke,
Gardner,
Huron,
Johnson,

Mr. Kent,
Leonard,
Moore,
McNaughton,

Mr. Newberry,
Paddock,
Snow,
Stevens,

13

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

An act to amend sections 17 and 18 of chapter 103 of the revised statutes of 1846;

An act to authorize the Governor to convey certain land to the First Universalist Church, and the First Wesleyan Methodist Church and Society, in Lansing;

And the same were signed and presented to the Governor for his approval.

Mr. Twombly, from the committee on enrolled bills, reported as correctly enrolled,

A bill to amend section 2 of chapter 103 of revised statutes of 1846, relative to the trial of issues of fact.

And the same was signed and presented to the Governor for his approval.

Mr. Smith moved to take up the Detroit, Romeo and Port Huron Railroad bill, and the Maumee Railroad bill.

Which prevailed.

Pending which,

By consent, the President *pro tem.* announced the following:

EXECUTIVE OFFICE, }
Lansing, Feb. 14, 1853. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State,

Joint resolution relative to printing acts of the Legislature of 1853, in relation to St. Mary's Canal;

An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works;

An act supplementary to an act entitled an act to define the limits, jurisdiction and powers of the circuit courts, approved April 8, 1851, and to repeal an act entitled an act supplementary thereto, approved June 27, 1851;

An act to amend section 7 of chapter 72 of the revised statutes.

R. McCLELLAND.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, Feb. 14, 1853. }

To the President of the Senate:

SIR—I am instructed to return herewith,

A bill to authorize the State Treasurer to receive from the General Government certain moneys arising from the sale of swamp lands, and to authorize the Commissioner of the State Land Office to take an assignment of all warrants received for any of the swamp lands sold in this State since the act of Congress approved September 28, 1850, and to provide for the redemption of swamp lands sold;

Which the House have passed by a majority of all the members elect, and ordered the same to take immediate effect.

Very respectfully,

D. P. BUSHNELL,

Clerk H. of Rep's.

The bill was ordered enrolled.

Mr. Twombly reported as correctly enrolled,

A bill to authorize the State Treasurer to receive from the General Government certain moneys arising from the sale of swamp lands, and to authorize the Commissioner of the State Land Office to take an assignment of all warrants received for any of the swamp lands sold in this State since the act of Congress approved September 28, 1850;

Signed and presented to the Governor for approval.

The President *pro tem.* announced the following:

EXECUTIVE OFFICE, }
Lansing, Feb. 14, 1853. }

To the Senate:

I have carefully examined the bill to amend the charter of the Farmer's and Merchant's Bank of Ann Arbor, and cannot give it my sanction.

By its present charter, it is required to file with the State Treasurer, stocks of the United States, the State of New York, or six per

cent stock of this State, and notes or bills to an equal amount are then countersigned by him and delivered to the Bank. If any of these notes or bills are presented at its office, and specie demanded and refused, application may be made to the Treasurer, who is required, within twenty days thereafter, to sell said stocks and redeem the notes or bills. By the proposed amendments, the Treasurer is prohibited from proceeding to sell said stocks, until the lapse of twenty days after the presentation of the notes or bills. In other words, so far at least as this remedy is concerned, the time for paying specie by the Bank is extended twenty days. By this system of banking, I believe bankers do not generally consider themselves obliged to keep much gold or silver in their vaults; hence the principal dependence of the bill holder is on the stocks filed. The remedy as it now exists, is easy, cheap and effective.

For many years past, it has been the policy of the State to discountenance a suspension of specie payments by our banks, and I cannot be instrumental, in the remotest degree, in changing or modifying it. If the amendment does not do it directly, it does indirectly. There is no State where the people are so sensitive upon this subject, and none that have so much reason to be.

Take from the bill holder the power of having the stocks sold immediately after a refusal to pay specie, and you withdraw the strongest incentive to the bank to do its duty and promptly redeem its notes. It is the only provision in the charter that effectually and unqualifiedly secures specie payments. The amendment gives to the bank twenty days in which to redeem, and the charter twenty days in addition, within which the stocks may be sold—making, in the discretion of the Treasurer, forty days.

Another section of the bill provides that "if the Treasurer, Auditor General, and Secretary of State, or a majority of them, should decide at any time, that the said bank was insolvent, either upon the examination of the Treasurer, or upon satisfactory evidence that said bank has refused to pay any of its circulating notes when lawfully demanded in gold or silver coin, after being duly notified in the manner required by the provision before referred to, they shall forthwith appoint a receiver or receivers, to wind up the affairs of the bank.

This leaves it entirely discretionary with these officers, and unless, they so will it, there can be no forfeiture of the charter, nor can the bank be put into liquidation, except by proceedings in our courts which are tardy, expensive, vexatious, and seldom accomplish much good. If the State officers decide the bank not to be insolvent, or refuse or neglect to make any decision, the bank could, at its option, suspend specie payments on all its circulating notes, for twenty days after presentation. The provision extending the time twenty days previous to proceeding to sell the stocks, is calculated to mislead the State officers. It might, and probably would be used as an argument against their taking any action against the bank, until the expiration of the twenty days, and it would at least have the merit of being a plausible pretext.

The objectionable feature in the bill might not operate very injuriously upon the large capitalist. It would embarrass, but could not deprive him of a resort to the ordinary remedies. But it would seriously affect the masses of the people, who know little about banking, less about the manner of enforcing their rights against a bank, and are often totally unable to incur the expense. Take this speedy method of redress from them, and the other remedies are to them a mere mockery. Of what use is the principle of specie payments, unless there is some prompt, speedy and cheap way of enforcing it.

If the principle contained in the bill is good, and defensible in this case, it should and will ultimately be extended to all the other banks of this State; and this you are certainly not prepared to sanction. If such a state of things existed, every one possessing a small amount of the bills, and pressed for specie, would be at the mercy of the banks, and the bank paper of the State would rapidly depreciate. So long as it is the interest of a bank to preserve its credit, its officers will make every effort to do it; but something beyond this should be required. Every guard should be thrown around the charters, so as to protect the bill-holder, and compel the bank to be honest.

I do not view the sixth section as materially changing the aspect of the question. Looking at the bill as subversive of the principles that should control such an institution, not demanded by the people, and detrimental to the best interests of the State, and doubting its

constitutionality, I herewith return it, without my signature, for such further action as you may deem expedient.

R. McCLELLAND.

~~The Senate proceeded to the reconsideration of said bill.~~

Mr. Harrington took the floor and proceeded to address the Senate thereon.

Pending which,

The hour of 12 o'clock having arrived,

The President took the chair and addressed the Senate, as follows:

SENATORS: The labors of the session are nearly closed. If we deserve it, it would hardly be modest for us to sound our own praise. If we have not merited it, it would scarcely be expected that we should publicly acknowledge it. The people, then, for whom we have been acting, will be the judges whether our trust has been faithfully or unfaithfully discharged. If that tribunal shall not approve what you have done, I think you will be consoled with the approbation of your own consciences.

As we met at the commencement, so we must separate at the close of this session. It is with no ordinary feeling that I express to you my sincere thanks for the kind aid you have extended to me in the discharge of the duties of the chair. From my inexperience, without that aid, I must have failed to give, in any degree, satisfaction. Where I have erred, I trust you have looked upon my errors as unintentional. I can only say for myself, that I have desired to discharge my duties faithfully and impartially.

It is not probable, that, in time, we shall all meet again; and in bidding you farewell, I cannot refrain from assuring you that in parting, I feel the emotions of a friend parting with friends—that while, in the providence of God, I may be spared in days to come, my mind will often revert to the scenes in which we have participated together, with feelings of pleasure, and grateful remembrance of your kindness and courtesy.

As we now separate, permit me to express the hope, that you may each and all be blessed with a long and happy life.

When the President declared the Senate adjourned *sine die*.

SENATE CHAMBER,
Lansing, February 14, 1853. }

To the Secretary of State:

I have deposited in the committee room, the following articles of stationery belonging to the State and not used, viz:

One large ink-stand,.....	\$1 50
Two reams of paper, at \$5,.....	10 00
	<hr/>
	\$11 50

Very respectfully,

O. W. MOORE,

Secretary of Senate.

EXECUTIVE JOURNAL.

JOURNAL OF THE SENATE—EXECUTIVE SESSIONS, 1853.

Lansing January 12, 1853.

The President being in the chair, announced the following communication:

EXECUTIVE OFFICE,
Lansing, January 11, 1853. }

To the Senate :

I hereby nominate for Notaries Public in the respective counties as follows :

ALLEGAN COUNTY.

Clark Cory, Flavius J. Littlejohn, Nelson Chambers, Samuel D. Foster, Osmond Smith, Lintford B. Coates, Elisha Ely, Amos A. Haile, Eli P. Watson.

BARRY COUNTY.

Orson B. Sheldon, Henry E. Hoyt, James Haughtailing, George W. Knapp, John W. Bradly, Cobin Balch, Richard N. Hanna, I. W. T. Orr, Thomas J. Humphrey, Peter Malramy.

BERRIEN COUNTY.

Isaac N. Swain, Benjamin F. Fish, Gibson Osgood, Noble W. Thompson, Rodney C. Paine, Charles Jewett, Charles F. Howe, Rufus W. Landon, Lorenzo P. Alexander, Henry Chamberlin, Alenzo Bennett, Calvin Britain, Damon A. Winslow, Jehiel Enos.

BRANCH COUNTY.

James B. Crippen, Clinton B. Fisk, Robert F. Mockridge, Harvey Warner, Edward J. Hard, James Ruggles, Johnathan Holmes, Jas. B. Tompkins, Benjamin F. Wheat, David W. Baker, Ebenezer Mudge, Aaron McGinnis, Amos Culver, Melvin L. Youngs, Leroy

Judd, Henry S. Hurd, Daniel Wilson, Samuel Etheridge, Hiram Gardner, Ezra Berry, Corydon P. Benton, Hiram R. Alden, John Root, Eben O. Leach.

CALHOUN COUNTY.

Horace A. Noyes, Isaac W. Wilder, James A. Way, Preston Mitchell, Stephen LaDew, Henry B. Denman, Ozro Buckingham, Ashbel Styles, Moses Hall, James Humeston, Joseph B. Cook, Allen L. Deming, Albert Van Fossen, Prentiss S. Hewitt, Robert C. Hammell, George B. Ensworth, Abner E. Campbell, Leonard H. Stewart John S. Adams, Reuben Reed, James M. Parsons.

CASS COUNTY.

James Sullivan, Oliver D. S. Gallup, Norman Sage, Arad C. Balch, Heman J. Redfield.

CHIPPEWA COUNTY.

Henry Smith, Oscar L. Foote, Charles Hatch, George Johnson.

CLINTON COUNTY.

Josiah Hogle, Isaac W. Hollister, George Lowell, Joab Baker.

DELTA COUNTY.

Jefferson Sinclair, Thomas J. Bagley.

EATON COUNTY.

Edward Lampson, George W. Nichols, Reuben P. Riddle, James Gallery, Benajah W. Warren, Ezra Conant, John T. Hayt, Benjamin Evans, Joseph Bosworth, Ralph Hosford, Henry H. Hickok, Charles P. Marsh.

EMMET COUNTY.

Dennis Chidester, Gilbert Watson, Benjamin G. Wright, Henekiah D. McCulloh.

GENESEE COUNTY.

William M. Fenton, Mathew Beehan, Dewitt C. Davidson, William P. Crandall, Alfred Pond, Sedwick P. Stedman, Reuben M. Ford, Charles Kelly, Diogenes Freeman, Timothy O. Walkley, Columbus V. Tyler, Thomas A. Young, Jesse Cram, William G. Merrill, Elisha Kinsman, A. W. Wood, James H. C. Blades.

HILLSDALE COUNTY.

John Brown, Daniel Weaver, Stephen M. Friebie, George W. Barchard, Oliver C. Pope, Joseph G. Howe, David C. Fuller, Asa G. Edwards, James A. Galloway, Wray F. Palmer, Benjamin

Fowle, Henry Packer, John Hughes, George Bansel, Edward H. C. Wilson, Andrew P. Hogarth.

HOUGHTON COUNTY.

Seth Rees, William Webb, James R. Shaler, John Griswold, Hervey C. Parke.

INGHAM COUNTY.

Orien A. Jennison, Griffin Paddock, Runna Morton, Oliver C. Wiswell, Charles J. Fox, Orlando W. Barnes, Samuel S. Coryell.

IONIA COUNTY.

James M. Kidd, Albert Williams, Charles T. Andrews, Alanson R. Cornell, Hiram Brown, William Hugg, Philander How.

JACKSON COUNTY.

Henry H. Bingham, William K. Gibson, Elon G. Cole, Lewis Brown, George A. Knickerbocker, Guy Foote, Benjamin Seidle, Ransom E. Aldrich, Lorenzo D. Hale, Walter Buddington, William L. Palmer, Moses Benedict, Jr., Joshua Haire, Alden S. Luce, Bela Turner, Jerome M. Treadwell, Lemuel D. Tracy.

KALAMAZOO COUNTY.

Thomas S. At Lee, Frank Little, Alexander Buel, Andrew J. Bawne, Salmon C. Hall.

KENT COUNTY.

Charles C. Rood, Alfred D. Rathbone, Rodney Robinson, Robert Howlet, Peter J. G. Hodenpyl, Frederick W. Worden, George Coggeshall, Philander H. Bowman, James A. Davis, James Dockery, Curtis Porter, James H. McKee, James Scribner, William R. Godwin, Joseph Blake, Charles W. Warrell, Solomon L. Withey.

LAPPEER COUNTY.

William Beech, Beriah H. Mattison, Eben Barrows, Alonzo S. Hatch, LaFayette Warren, Silas D. McKean, John W. Day.

LENAWEE COUNTY.

Welcome V. Fiak, William Larzilere, Jesse H. Warren, Robert R. Beecher, Daniel D. Sinclair, Washington Harwood, Joel Carpenter, Hiram D. Condia, Simeon Davidson, Judson R. Hyde, David Horton, Samuel S. Ludlam, Alexander R. Tiffany.

LIVINGSTON COUNTY.

James B. Lee, Henry H. Harmon, Richard P. Bush, Abel F.

Butterfield, Horace L. Cook, Aaron Younglove, John Fulmer, George W. Smith, Michael McManus, Charles S. Norton, Levi D. Smith, Samuel K. Tubbs, George J. Griffen, J. W. Kellogg.

MACKINAC COUNTY.

John W. McMath, Bela Chapman.

MACOMB COUNTY.

Philander Ewell, Edward Fishpool, Samuel P. Canfield, Robert Q. Milton, Mason Harris, Dennis Cooley, Marshall Hadley, Dewitt C. Walker, John B. St. John, William Brownell, Fayette Harris, John D. Standish, Ira Stout, John S. Fletcher.

MARQUETTE COUNTY.

Robert R. Gravervet, Watson Eaton, Peter White.

MONROE COUNTY.

Alexander D. Anderson, Abner Morton, Laurent Dwocher, John Burch, Francis J. Werzschmit, Talcott E. Wing, Ira Smith, Norman Barnes, James B. Whipple, Titus Babcock, Thomas Whelpley, Augustus Praetsch, Ephraim Baldwin, Joseph C. Cole, Norman R. Haskell, Sylvester Welch, John J. Chamberlin, Hiram P. Vroman, Emerson Choate, Philip J. Lorenger.

MONTCALM COUNTY.

John A. Minor, William Cassle, Stephen H. Warren, Josiah Russell.

NEWAYGO COUNTY.

John Standish, Laban Alverson, Harry W. Henry, Benjamin F. Olney.

OAKLAND COUNTY.

John Stewart, David G. Servis, Hiram A. Rood, Benjamin D. Worthing, John F. Bray, Augustin W. Hovey, Pascal D. Warner, Ezra H. Buddington, David A. Elliot, Ezra P. Baldwin, David McKnight, Samuel H. Thurber, John Davis, Joseph R. Bowman, Charles J. Hunt, William E. Fenwick, Richard Bronson, John B. Martz, Frederick C. Patterson, Layman B. Price, LaFayette Brewster, Francis C. Stevens, James Newberry, Oscar A. Stevens, George C. Jones, Sardis F. Hubble, Lewis M. Covert, John Shirter, Francis Darrow, Nathaniel D. Bingham, Jacob Price, Edwin E. Phelps, Harrison Parker, Franklin L. Smith, Ira D. Smith, C. Volney Babcock, George Brownell, George White, Daniel M. Judd, Gideon O. Whittemore, James G. Hunter.

ONTONAGON COUNTY.

James Burtenshaw, Porter B. Eastman, Clayton Davis, Jason R. Hanna, Peter Mitchell, John Greenfield.

OTTAWA COUNTY.

Mordecai L. Hopkins, T. Vandenberg, Henry D. Post, Moses B. Hopkins, Stephen L. Looing, Russell Baxter, George Walton.

SAGINAW COUNTY.

John Moon, Otis Shepard, William U. Green, Joseph Heas, Sideon Campbell.

SANILAC COUNTY.

George Smith, John Sheldon, Norton Hollister, Clark M. Mills.

SHIAWASSEE COUNTY.

Robert F. Gulick, Robert Fox, David D. Adams, Trumen W. Rowley, John Spaulding, William G. Kent, Milo Harrington, Cortez Pond, George W. Slocum, Ambrose Baker, Alonzo Howard, Mortimer B. Martin, Oliver T. B. Williams, Luke H. Parsons, Ebenezer F. Wade, James M. Blood, David Ingersoll.

ST. CLAIR COUNTY.

William L. Bancroft, Grant P. Robinson, John C. Forbes, Erastus S. Cross, Smith Falkenberg, Lester Cross, Andrew J. Whiting, Alfred E. Fetchet, Cyrus Miles, William Grace, Henry Rix, Abraham Smith, Alfred Weeks, Pierce G. Wright, Edward Kitton.

ST. JOSEPH COUNTY.

Addison T. Drake, Alexander D. Sprague, Isaac D. Toll, Phinias Hathaway, William Savin, Phillip R. Toll, Ezekiel B. Turner, John H. Saves, Louise A. Leland, Andrew Jackson Kinnee.

TUSCOLA COUNTY.

Edward Sturges, J. G. Belknap, Alfred Holmes, Wm. Sherman, A. J. Rogers.

VAN BUREN COUNTY.

John R. Haynes, Emery O. Briggs, S. T. Conway, John R. Baker, Elisha Durkee, James Crane, Simon O. Keeler, Eusebius Mather, Charles H. Windt.

WASHTENAW COUNTY.

Nelson Mosher, James McMahon, Ebenezer Arnold, Bradley F. Granger, Edward R. Chase, Hiram J. Beakes, Thomas H. Marsh, Merchant H. Goodrich, Oliver W. Moore, Edwin A. Lawrence, Chas.

N. Fox, Henry Noble, Emanuel Mann, Henry W. Wells, Tracy W. Root, John Keys, Roswell Curtis, George Danforth, George Cook:

WAYNE COUNTY.

James G. Rumsey, Charles Tryon, William P. Patrick, Anthony Kaminsky, Henry H. Wells, Luther B. Willard, Silas A. Bagg, Frederick H. Harris, Henry Chase, John G. Almnadinger, Daniel J. Campau, Amos T. Hall, John Prentiss, William H. Patton, Eli Bradshaw, Rollin C. Smith, Alexander H. Adams, David Randall, Dewitt C. Holbrook, Benjamin F. H. Witherell, John L. Chipman, Ammon Brown, Harry Saunders, Edward Adams, Ezra Rood, Horatio G. Spafford, Henry H. Brown, Elisha C. Litchfield, Thomas H. Hartwell, James K. Gavin, Patrick McGinnis, Henry R. Mizner, William Jennison, Ebenezer H. Rodgers, William A. Boyt, Sears Stevens, William A. Cook, Jonathan Metcalf, Vincent Y. Penoyer, Flavius J. B. Crane.

R. McCLELLAND.

A majority of the Senate having so directed, the message was taken up for consideration, the nominations therein contained considered, and the same were advised and consented to in gross, by yeas and nays, as follows:

YEAS:

Mr. Arzeno,
Beeson,
Clarke,
Curtenius,
Dickey,
Fralick,
Gardner,
Goodrich,
Gould,
Griswold,
Hall,

Mr. Harrington,
Harris,
Hickok,
Hixson,
Johnson,
Kent,
Leonard,
Lyon,
Moore,
McCauley,
McNaughton,

Mr. Newberry,
Paddock,
Pierce,
Russell,
Snow,
Smith,
Stevens,
Stowell,
Twombly,
Wright,

32

NAYS:

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On motion,

The Executive session then closed.

Lansing, February 9, 1853.

The President announced the following communication :

EXECUTIVE OFFICE,
Lansing, February 5, 1853. }

To the Senate:

I hereby nominate as commissioners under the act for the construction of the Sant Ste Marie Canal, Henry Ledyard, and Shubael Conant, of Detroit ; John S. Barry, of Constantine ; Alfred Williams of Pontiac ; Chauncey Joslin, of Ypsilanti ; and for engineer, Capt. Augustus Canfield, of Detroit.

R. McCLELLAND.

On motion,

The nominations were taken up for consideration, and considered separately.

The nomination of Henry Ledyard was advised and consented to by the following vote :

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Paddock,	
Beeson,	Harris,	Pierce,	
Curtenius,	Hixson,	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McCauley,	Wright,	
Hall,	Newberry,		29

NAYS:

Mr. Clarke,	Mr. McNaughton,	2
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The nomination of Shubael Conant, was advised and consented to by the following vote :

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Pierce,	
Curtenius,	Hixson,	Russell,	
Dickey,	Johnson,	Snow,	
Fralick,	Kent,	Smith,	
Gardner,	Leonard,	Stevens,	
Goodrich,	Lyon,	Stowell,	
Gould,	Moore,	Twombly,	
Griswold,	McNaughton,	Wright,	
Hall,			28

NAYS :

Mr. Clarke, Mr. McCauley, Mr. Paddock, 3

The nomination of John S. Barry was advised and consented to by the following vote :

YEAS :

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,	
Beeson,	Harris,	Pierce,	
Curtenius,	Hixson,	Russell,	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Stowell,	
Griswold,	McCauley,	Twombly,	
Hall,	McNaughton,	Wright,	27

NAYS :

Mr. Clarke, Mr. Johnson Mr. Paddock, 3

And Alfred Williams by the following vote :

YEAS :

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,	
Beeson,	Hixson,	Smith,	
Gardner,	Johnson,	Stevens,	
Goodrich,	Moore,	Stowell,	
Gould,	McCauley,	Twombly,	
Griswold,	McNaughton,	Wright,	19

NAYS :

Mr. Clarke,	Mr. Harris,	Mr. Paddock,	
Curtenius,	Kent,	Pierce,	
Dickey,	Leonard,	Russell,	
Fralick,	Lyon,	Snow,	
Harrington,			13

And Chauncy Joslin by the following vote :

YEAS :

Mr. Arzeno,	Mr. Harris,	Mr. Paddock,	
Beeson,	Hixson,	Pierce,	
Dickey,	Johnson,	Russell,	
Fralick,	Kent,	Snow,	
Gardner,	Leonard,	Smith,	
Goodrich,	Lyon,	Stevens,	
Gould,	Moore,	Stowell,	
Griswold,	McCauley,	Twombly,	
Hall,	McNaughton,	Wright,	
Harrington,	Newberry,		29

NAYS :

Mr. Clarke, Mr. Curtenius, 2

And Augustus Canfield by the following vote :

YEAS.

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,
Griswold,	McNaughton,	Wright,
Hall,		

31

NAYS.

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The following was also announced:

EXECUTIVE OFFICE,
Lansing, February 5, 1853. }

To the Senate:

I hereby nominate Henry S. Mead, of the county of Hillsdale, to be agent of the State Prison, in the place of William C. Pease, who has resigned; the said Mead to commence discharging his duties on the first day of March next, when said Pease's resignation takes effect.

R. McCLELLAND.

On motion,

The nomination was taken up for immediate consideration, considered, and advised and consented to, as follows:

YEAS.

Mr. Arzeno,	Mr. Hall,	Mr. Newberry,
Beeson,	Harrington,	Paddock,
Clarke,	Harris,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Twombly,
Gould,	McCauley,	Wright,
Griswold,	McNaughton,	

29

NAYS:

Mr. Hixson, Mr. Stowell,

2

On motion of Mr. Griswold,

The Executive session closed.

Lansing, February 12, 1858.

The President announced the following communication:

EXECUTIVE OFFICE,
Lansing, February 10, 1858. }

To the Senate:

I hereby nominate for notaries public in the respective counties, as follows:

BARRY COUNTY.

William Falk, Tunis Collin, Augustus Williams, Russell B. Wrightman, William S. Goodyear, William Burgher, George Brown.

BERRIEN COUNTY.

Ansel Winslow, Sen., Franklin Muzzy.

BRANCH COUNTY.

Oliver P. Wasson, Mitchel Rice, Ezekiel B. Turner, Henry C. Lewis, Justus Goodwin, Eeson G. Fuller, Harvey Haynes.

CALHOUN COUNTY.

Jonathan D. Davis, Jeremiah Drake, Ezra Bradner, Augustus Lusk, John Meacham, Sunderland G. Pattison, Henry E. Phelps, John A. Vanhorn, John E. Wild, Daniel P. Wood, Walter Martin, Charles Cameron, Cyrus Heath, Stephen Gilbert, Leonidas D. Dible, Charles T. Gorham, Ira Scott, Thomas Lusk, Neal H. Comstock, Milo Soule, Ira Andrus, John H. Kimball, Rodney B. Allen, Reuben B. White, Joel H. Cranson, George C. Gibbs.

CASS COUNTY.

Ephraim Huntly, Nathaniel Monroe, David T. Nicholson, Marvrick Rudd, Henry C. Spencer, Francis H. Barnum, Daniel Blackmar.

CHIPPEWA COUNTY.

Thomas McKnight.

CLINTON COUNTY.

Joseph H. Adams, Joseph Hollister, Alanson Parks, Orange Ferguson, Thomas Jennison, Henry Post, William Shepard, Marvin Greenwood, James Soules, Moses Bartow, David Clark, Harvey Hunter, William F. Jennison, Ezekiel Niles, Thomas J. Allen, Ephraim Fitch, Randolph Strickland.

EATON COUNTY.

Myron W. Robb, George S. Browning, Wells R. Martin, Willard Davis, Henry Robinson, David Lucus, William M. Grant, Harvey Williams, Thomas McDonald, Pardon Fisher, Henry Earles, James Stirling.

GENESEE COUNTY.

Washington O. Donaghue, Charles N. Beecher, Anderson Bump, Thomas R. Cummings, Henry Barber, John C. Griswold, Levi Walker, James O'Donaghue, John B. Hamilton, Ellsworth Walkley, George R. Cummings, Joshua K. Abbott, Abner C. Johnson.

HILLSDALE COUNTY.

Martin H. Webb, I. H. McCollum, Witter J. Baxter, Charles Gregory, Chester Hunt, C. B. Dresser, Salmon Sharp, James K. Kinman, John M. Osborn, Ebenezer Stuart, Cyrus Mullen, Henry S. Mead, Lysander G. Stedman, Daniel L. Pratt, John Mosher, David M. Bagley, Francis H. Pratt, David Wormly, Nelson Nethaway, Eason T. Chester, Amaziah Darrow, Jr.

INGHAM COUNTY.

Frederick M. Cowles, Edwin R. Merrifield, William Martin, John Raynor, Amos E. Steele, Philip McKernan, Joshua B. Freeman, Thomas Stevens, James A. Bascom, Daniel L. Case, Price W. Welch, John I. Redick, Charles Seymour, Marcus A. Atwood, Allen T. Welsh, Hiram B. Fuller.

IONIA COUNTY.

Chauncey Lott, John Compton, Harry Knox, Harry Bartow, Joseph Brown, Rufus R. Cook, Lambert B. Barnum, Mirom J. King, Mathew Vanoleck, William Backus, Louis S. Lovell.

JACKSON COUNTY.

Orson W. Bennett, Melville Magee, Levi P. Gregg, Fidus Livermore, Isaac Sharpstein, George W. Kennedy, Robert Lawrence, William Clapp, Isaac P. Wheeler, Stephen Ludlow, Sherman Eastman, Nicholas Townly, Albert J. Paddock, Henry A. Francisco, Otis Lincoln, John M. Root.

KALAMAZOO COUNTY.

Orrin N. Giddings, Luther H. Traak, George L. Otis, William Palmater, Theodore P. Sheldon, Amos D. Allen, Frederick Bocher,

James K. Knight, Silas Hubbard, Norman A. Hill, Frederick Dale, Preston J. McCrary, Eli Douglass, William Price, Augustus Buell, John Jeffers, Eli Hart, Thomas R. Sherwood, Roswell Ransom, George Davis, Gilbert Higgins, Horace M. Peck, Marsh Giddings, George W. Winslow.

KENT COUNTY.

Egbert Dewey, Rier N. Goodsell, William J. Wells, Jacob Barns, William H. Godfroy, Reuben H. Smith, Frederick D. Richmond, Converse Close, Leonard Bement.

LAPEER COUNTY.

James Andrus, George B. Gregory, Noah H. Hart, John Walker, William Williams, Ira Dodge, John N. Deneer, Jonathan R. White, Reuben McArther, Ezra A. Hebard, Jeremiah S. Comstock.

LENAWEE COUNTY.

John Barlow, H. S. Bowen, William H. Johnson, Whitman Ripley, Marvin E. Palmer, Chester Howland, Alonzo Bixby, John R. Rosebrugh, Philo Wilson, Thomas Gray, Volney Chapman, Marvin L. Stone, Benjamin L. Hicks, Myron E. Knight, Andrew Howell, Peter Morey, John Miller, William H. Cleaveland, William Baker, Jr., David Robb, Ebenezer J. Waldby, Jacob C. Sawyer, Benjamin F. Green, Cornelius Shandley, Lorenzo Palmer, George Sweet.

LIVINGSTON COUNTY.

George W. Kneeland, R. L. Hall, John R. Mason, Laurant K. Hewett, Elijah F. Burt, George W. Chandler, Ira D. Crouse, Derastus Hinman.

MONTCALM COUNTY.

Enos T. Peck.

MACOMB COUNTY.

John J. Traver, Joshua B. Dickinson, Andrew S. Robertson, Perrin Crawford, Samuel D. Sibbet, Harlehigh J. Cartter.

MONROE COUNTY.

Junius Tilden.

OAKLAND COUNTY.

Alvin D. Shabolt, James B. Hunt, Peter Hogan, Ephraim B. Case, Hugh McCurdy, Jedediah Durkee, Sidney Backelor, Peter Cruise, John Ellenwood, Jr., Henry S. Buel, John Young, Seeley Harger, William Chapman, Daniel B. Taylor, Warner Churchill,

Carlos Harmon, Henry Simmons, Jerome B. Caulkins, George Reeves, Charles B. Petrie, John Flower, Joel Loomis, William Johnson, Tompkins Bugbee, Robert Quartermas, Warren Dunning, Edwin J. Bell, Alonzo Van Waggoner, Alfred Allen, Lodwick Stanton, James Webster, John Dally, Derrick J. Wright.

OTTAWA COUNTY.

Henry Pennoyer, George Eastman, Grosvenor Reed, Robertus M. DeBruyen.

SAGINAW COUNTY.

Richard B. Hall, Daniel L. C. Eaton, Ferdinand Seivers, F. Pistorius, George G. Hess, Augustin S. Gaylard, Hiram T. Ferris, Charles W. Grant, Oliver P. Burt, Charles Post, George O. Bockman, John A. Westervelt, Henry C. Ashman, William H. Sweet.

SANILAC COUNTY.

James Yakes.

SHIAWASSEE COUNTY.

James E. Chafee, Owen Corcoran.

ST. CLAIR COUNTY.

Joseph B. Comstock, Lewis Persels, William H. Baker, Marcus H. Miles, James S. Clark, George H. McIntire.

ST. JOSEPH COUNTY.

H. H. Riley, Elias S. Swan, Joseph C. Wyllis, Hiram S. Tyler, Edmund Stears, Hiram Betts, Hiram Draper, Stephen Kelsey, Nathan Osborn, John H. Stier.

TUSCOLA COUNTY.

Porter Edmunds.

WASHTENAW COUNTY.

John L. Tappan, Ebenezer C. Hawkins, Chauncy Joslin, David B. Dodge, Alexander D. Crane, Charles J. Kellogg, Chester C. Palmer, Eurotus Morton, Thomas L. Humphreyville, Stephen B. McCrackin, Thomas Godfrey, Caleb Clark, William W. Dexter, Charles Town, Morgan Spencer, Orman Clark, Asa Williams, William B. Prettyman, William Burnett, Richard Beahan, William F. Roth, Edward Goodale, William A. Jones, Robert Wood, William N. Stevens, John W. Beegan, James Kingsley.

WAYNE COUNTY.

Joseph Kuhn, Enos T. Throop, Henry T. Stringham, Charles F. Heyerman, Sidney D. Miller, Ralph C. Smith, George Elliott, Willard Edmonds, William P. Adams, Barnabas C. Bunnel, Henry Colton, John J. Leonard, Lafayette L. Jones, Robert H. Brown, Henry D. A. Ward, Marcus A. Chase, John Brown, Calvin C. Jackson, Cyrus Howard, Jacob W. Moore, Augustus S. Johnson, Francis W. Hughes, Thomas W. Palmer, James B. Witherell, Benjamin F. Hyde, Audrian Abbott, George Jerome, William Bertling, Daniel Pierce, Charles R. Gardner, Thomas S. Sprague, William Dever, Clarence E. Eddie, Ebenezer Anderson, George W. Osborn, John Dalrymple, John J. Armstrong, Francis X. Cicotte, John S. Van Alstyne, Henry B. Brevort, Henry Campau, Andrew J. Popleton, William A. Harper, James V. Campbell, Myron Ryder, Ebenezer C. Eaton, Andrew T. McReynolds, David Kendall, William A. Moore, Alfred Russell, Deodatus C. Whitwood, George W. Gilbert, John Boyce, Joseph Merrill, Henry K. Sanger.

R. McCLELLAND.

The nominations were by a majority of the Senate taken up for consideration, when

On motion of Mr. Snow,

The nomination of Martin H. Webb was laid on the table.

The remaining nominations were advised and consented to by the following vote :

YEAS:

Mr. Arzeno,	Mr. Harrington,	Mr. Newberry,
Beeson,	Harris,	Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,
Griawold,	McNaughton,	Wright,
Hall,		

31

NAYS:

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The executive session then closed.

Lansing, February 14, 1853.

The President announced the following message:

EXECUTIVE OFFICE,
Lansing, February 14, 1853. }

To the Senate:

I hereby nominate Ephraim B. Danforth, of Lansing, for Commissioner under the act for the construction of public buildings here.

R. McCLELLAND.

And the nomination was thereupon advised and confirmed by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Paddock,
Clarke,	Hixson,	Pierce,
Curtenius,	Johnson,	Russell,
Dickey,	Kent,	Snow,
Fralick,	Leonard,	Smith,
Gardner,	Lyon,	Stevens,
Goodrich,	Moore,	Stowell,
Gould,	McCauley,	Twombly,
Hall,	McNaughton,	Wright,
Harrington,		

20

NAYS:

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The nomination of Martin H. Webb, was then taken from the table, which the Senate advised and confirmed, by the following vote:

YEAS:

Mr. Arzeno,	Mr. Harris,	Mr. Paddock,
Beeson,	Hixson,	Pierce,
Clarke,	Johnson,	Russell,
Curtenius,	Kent,	Snow,
Dickey,	Leonard,	Stevens,
Fralick,	Lyon,	Stowell,
Gardner,	Moore,	Twombly,
Gould,	McCauley,	Wright,
Hall,	Newberry,	President,

27

NAYS:

Mr. Goodrich,	Mr. Harrington,
On motion,	

2

The Executive session then closed.

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9. A bill to authorize the Board of Education and the Trustees of the Michigan Asylums to appropriate lands, to open roads across certain Asylum and Normal School Lands, 19, 27, 34, 38, 52, 66, 70, 74, 116.
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11. A bill to re-enact sections 24 and 25 of chapter 90 of the Revised Statutes of 1846, and to repeal section 16 of an act to prohibit the maintaining suits in equity, approved June 28, 1851, 20, 34, 37, 38, 74, 75, 84.
12. A bill to amend the charter of the Detroit, Romeo and Port Huron Rail Road Company, 23, 30, 42, 56, 59, 94, 121, 123, 147, 357.

13. A bill to provide for the formation of rail road corporations, 23, 24, 46, 52, 133.
14. A bill to amend section 9 of an act entitled an act to provide for funding the outstanding Internal Improvement Warrants of this State and the interest due thereon, and also for liquidating and funding the amount of principal actually due upon the part-paid five million loan bonds, approved April 1st, 1846, 28, 91, 154, 330, 343, 344.
15. A bill for the construction of public offices at the seat of government at Lansing, 28, 47, 48, 50, 188, 304, 319, 320, 339, 342, 344.
16. A bill to provide for the appointment of a circuit court commissioner in all those counties in which vacancies may or have occurred in that office, 28, 47, 68, 90, 341.
17. To provide for an additional circuit court commissioner for the county of Wayne, 28, 42, 63, 99, 125, 133, 330, 343.
18. To amend section 1 of an act entitled an act to amend chapter 25 of the revised statutes of 1846, 28, 47, 48, 50, 269.
19. To amend chapter 12 of the revised statutes of 1846, entitled "of certain State officers," 33.
20. Directing the Auditor General to credit the county of Monroe with certain delinquent taxes, 33, 46, 63, 73, 144, 150, 168.
21. To repeal an act entitled an act to incorporate the Adrian Insurance Company, 33, 47, 63, 67, 107.
22. To provide for taking the census and statistics for the year 1854 and every ten years thereafter, 33, 48, 56, 136, 164, 172, 179, 213.
23. To provide for taxing foreign insurance companies, 35, 47, 52, 68, 76, 77, 137.
24. To establish a municipal court of criminal jurisdiction in the city of Detroit, 41, 164, 191.
25. To repeal section 7 of an act to consolidate the laws in relation to county courts and for other purposes, approved April 2, 1850, 41, 73, 157, 159, 162.
26. To amend chapter 70 of the revised statutes of 1846, 41, 53.
27. To amend an act entitled an act to incorporate the Detroit and Howell plank road company, 42, 164.
28. To provide for the discharge of certain duties required to be performed by circuit court commissioners, 42, 53, 139, 172, 330, 342, 344.
29. To cede certain premises to the county of Wayne for certain purposes, 45.
30. To amend chapter 136 of the revised statutes of 1846, in relation to informations in the nature of *quo warranto* and in certain other cases, 45, 163.
31. To amend the laws incorporating the city of Detroit and the several acts amendatory thereof, 46, 114, 154, 183, 184, 191.
32. Ceding jurisdiction to the United States over lot No. 1, section 34, in township No. 22 north range 8 east, 54, 68, 208, 224, 236.

33. To amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, 59, 74, 126, 147, 154, 200.
34. To authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver and other ores, 59, 114, 149.
35. To authorize the district judge of the Upper Peninsula to hold in trust and convey lands included in the town site of the village of Ontonagon, in the county of Ontonagon, 59, 89, 157, 164, 168.
36. Authorizing the Annual Conference of the Methodist Episcopal Church of this State to hold certain property, 61, 147.
37. To amend the laws in relation to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water works, 64, 114, 156, 183-4, 211, 351, 352, 357.
38. Relative to the deeds of married women, 64, 114, 149.
39. To provide for the consolidation of the Detroit and Erin, and Erin and Mt. Clemens Plank Road Companies, 64, 123.
40. To amend sections 2, 6 and 8 of an act to continue for a limited time the charter of the Farmer's and Mechanic's Bank of Michigan, 64, 105, 123.
41. To amend sections 5, 6, 7, 8, 9, 10, 11 and 13 of an act to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance Company of Detroit, approved March 7, 1834, and the acts amendatory thereto, approved March 28th, 1849, 64, 166.
42. To amend sections 6, 13 and 15 of an act to incorporate the President, Directors and Company of the Farmer's and Merchant's Bank of Ann Arbor, 64, 115, 137, 204, 307, 313, 358.
43. To provide for the removal of causes in civil cases, from justices' courts to circuit courts, by certiorari, and to repeal sections 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134 and 135 of an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841, 1, 5, 125.
44. To amend sections 17 and 18 of chapter 103 of the revised statutes of 1846, 65, 269, 352, 357.
45. To repeal sections 7, 8, 9, 10, 11 and 12 of an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849, 65, 148, 218.
46. Conferring additional powers and duties on the clerk of the State Prison and for other purposes, 70, 93, 156.
47. To amend section 66, chapter 14, of the revised statutes, 70, 93, 330, 339, 354.
48. Relative to the University interest fund, 70, 94, 171, 174, 189, 330, 334, 336.
49. To provide for Sheriff's fees in certain cases, 70, 163.

50. To amend sections 6, 13 and 15, of an act to incorporate the president and company of the Peninsular bank, 72, 105, 123, 156.
51. To amend section 59 of chapter 90 of the revised statutes of 1846, and to provide for taking testimony in open court in certain cases, 78, 143.
52. Supplementary to an act entitled an act to define the limits, jurisdiction and powers of the circuit courts, approved April 8, 1851, 78, 125, 270.
53. Prohibiting the manufacture of intoxicating beverages and the traffic therein, 78, 114, 149.
54. To amend sections 2 and 25 of chapter 60 of the revised statutes of 1846, in relation to University and School lands, 86, 164.
55. In aid of the Michigan Asylums, 81, 96, 138, 172, 191, 205, 219, 220, 240, 244, 330, 334, 343, 344.
56. To establish an agricultural school, 89, 116, 163, 172, 191, 205, 219, 220.
57. To amend section 3 of an act entitled an act to incorporate the city of Detroit Gas company, approved March 14, 1849, 89, 123.
58. To amend section 2 of an act entitled an act to incorporate the Michigan mining company, 89, 122, 330, 339, 354.
59. Supplementary to the common school laws, 89, 207, 257.
60. To amend the charter of the Grand River Valley rail road company, 91.
61. To amend an act entitled an act to incorporate the Marshall and Grand Rapids rail road company, 91.
62. To amend section 2 of chapter 9 of the revised statutes of 1846, 91, 96, 157, 159, 162.
63. To repeal sections 25, 26, 27 and 28, of act No. 156, of session laws of 1851, 91, 167.
64. To authorize the commissioner of the State land office to lease certain State property in the city of Detroit, 93, 98, 123, 137, 157, 158, 162.
65. To amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Southern Railroad Company, approved May 9th, 1846, 95.
66. To amend an act authorizing the Commissioner of the State Land Office to sell certain primary school lands, 101, 123, 142.
67. To amend section 13 of an act to incorporate the President Directors and Company of the Peninsular Bank, 105, 123, 156, 193, (being substitute for bill No. 50, as numbered above.)
68. To increase the capital stock of the Detroit Gas Company, 105, 147.
69. Making an appropriation to aid the Michigan State Agricultural Society, and to provide for publishing the annual reports of said Society, 105, 138, 191, 205, 275, 352, 353.

70. To provide for the exemption of personal property from sale on execution, or other final process of any court, issued for any debt contracted since the adoption of the revised constitution, 114, 144, 163.
71. To amend section 91, chapter 20 of the revised statutes, 115, 273.
72. To amend section 25, chapter 85 of the revised statutes, 115, 163.
73. Making additional appropriations for certain State officers for 1853 and 1854, 116, 127.
74. To incorporate the village of Flint, 135, 325.
75. To amend section 7, chapter 72 of the revised statutes of 1846, 136, 163, 321, 355, 358.
76. To amend sections 1, 3, 4 and 5 of an act to incorporate the Kalamazoo and Grand River Railroad Company, approved March 17th, 1847, 138.
77. To provide for the exemption of personal property from sale on execution, 144.
78. To amend section 2 of an act to amend an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and also for liquidating and funding the amount of principal and interest actually due upon the part-paid five million loan bonds, Approved April 1st, 1848, approved April 2d, 1850, 144, 196.
79. To extend the time for the collection of taxes in the township of Niles, in the county of Berrien, 146, 169, 179, 181.
80. To provide for the election of inspectors of lumber and saw logs in each organized township in this State, 147, 196.
81. For taxing fees of judges of probate, 150.
82. To provide for the erection of a prison for the purpose of solitary confinement, and a house of correction for juvenile offenders, and making an appropriation therefor, 151, 212, 259, 321, 324, 342, 343, 344.
83. Relative to indictments, 151, 270.
84. To amend sections 30 and 31 of an act entitled an act to provide for the organization and powers of the Supreme court, approved April 4, 1851, 151, 271.
85. To extend the time for the collection of taxes in the city of Detroit, in the county of Wayne, 151, 330, 339, 354.
86. To amend sections 54, 55, 58, 59 and 60, of chapter 93, of the revised statutes of 1846, relative to proceedings in justices' courts, 161, 272.
87. Relative to what evidence may be given in actions for the recovery of lands, tenements and real estate, 152, 273.
88. Making appropriations for the State Normal School, 153, 191, 196, 205, 246, 261, 341, 343, 344.
89. To provide for the transfer of the records, files, books, papers and judgments in the county courts to the circuit courts, 160, 172, 330, 339, 354.

90. To amend the charter of the city of Grand Rapids, approved April 2, 1850, 163, 256, 264.
91. To amend section 2 of chapter 103 of the revised statutes of 1846, relative to the trial of issues of fact, 167, 272, 354, 357.
92. To amend section 8 of an act to provide for the removal of the State land office to the seat of government, 167.
93. To amend an act entitled an act to incorporate the Detroit river sectional floating dock, dry dock, and marine railway company, approved March 17, 1847, 171, 256.
94. Supplementary to an act entitled an act to define the limits, jurisdiction and powers of the circuit courts, and to repeal an act entitled an act supplementary thereto, approved June 27, 1851, 175, 354, 355, 357.
95. To prescribe the form of a deed of real estate, 175.
96. To amend section 5 of an act entitled an act to provide for the improvement of a certain State road leading from Lansing, in the county of Ingham, passing through the villages of Charlotte and Bellevue, in the county of Eaton, to the village of Battle Creek, in the county of Calhoun, approved April 2, 1850, 175.
97. To extend the right of pre-emption to settlers on swamp lands, 176.
98. To provide for the incorporation of individuals and companies for the purpose of banking, 176.
99. To authorize certain State officers to convey certain land to the First Universalist Church, and to the First Wesleyan Church and Society at Lansing, 182, 261, 356, 357.
100. To amend section 3 of an act entitled an act to incorporate the Paw Paw and Allegan Plank Road Company, approved March 26th, 1850, 188, 327.
101. To amend section 2 of an act entitled an act to incorporate the Paw Paw Plank Road Company, approved April 3d, 1848, 188, 328.
102. To amend section 4 of an act relative to plank roads, approved March 13, 1848, and all acts amendatory thereto, 188, 328.
103. To amend an act to incorporate the Native Copper Company, approved March 31, 1840, 196, 210, 281, 292, 303.
104. Authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases, 200, 228, 235, 242.
105. To repeal an act entitled an act to incorporate the St. Mary's Canal Company, approved March 17, 1847, 200.
106. To amend section 25 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8th, 1851, 210, 235.
107. To incorporate the village of Zilwaukie, in the county of Saginaw, 210, 326.

108. To amend an act entitled an act to incorporate the village of Romeo, 211.
109. To amend an act entitled an act to incorporate the Detroit and Maumee Railroad Company, 225, 269, 317, 357.
110. To amend sections 19, 21 and 41 of chapter 172 of the revised statutes of 1846, and to repeal section 3 of an act entitled an act to amend chapter 172 of the revised statutes of 1846; approved April 3d, 1848, 233, 274.
111. To provide for discharging of record certain mortgages executed under the act entitled an act to organize and regulate banking associations, 234.
112. To amend section 2 of an act entitled an act to incorporate the Minnesota mining Company, approved March 7, 1849, 235.
113. To amend sections 1 and 2 of an act entitled an act to authorize the perfecting of records of highways and for other purposes, approved March 28, 1849, 235.
114. Supplementary to an act to provide for the constructing of a ship canal around the falls of St. Mary's, approved February 5, 1853, 235, 274, 310, 322, 327, 336.
115. To amend section 4 of an act entitled an act to incorporate the Detroit and Lake St. Clair plank road company, approved March 28, 1850, 249.
116. Authorizing the board of supervisors of Van Buren county to loan the credit of said county to certain plank road companies, 249, 328.
117. To amend section 1 of chapter 128 of the revised statutes, 249.
118. To amend an act entitled an act to incorporate the Mackinaw and Lake Superior mining company, approved April 3, 1848, 260.
119. To authorize the State Treasurer to receive from the general government certain monies arising from the sale of swamp lands, and to authorize the commissioner of the State land office to take an assignment of all warrants received for any swamp lands sold within this State since the act of Congress, and to provide for the pre-emption of swamp lands sold, approved Sept. 28, 1850, 265, 347, 358.
120. To repeal section 12 of an act to incorporate the Hungarian mining company of Michigan, approved April 2, 1850, 266.
121. To repeal section 12 of an act to incorporate the Ripley mining company of Michigan, approved April 2, 1850, 266.
122. Supplementary to an act to authorize the formation of companies for mining and other purposes, approved Feb. 5, 1853, 267.
123. To amend sections 5 and 6 of an act to organize the county of Sheboygan, 302, 351, 352.
124. To set off from the county of Kent townships number 9 and 10 north of range number 9 west, and to annex the same to the county of Montcalm, 345.

BILLS ORIGINATING IN THE HOUSE OF REPRESENTATIVES—ACTION OF THE SENATE THEREON.

1. To amend section 6 of chapter 170 of the revised statutes of 1846, 15.
2. To extend the time for the collection of taxes in the township of Heath, in the county of Allegan, for the year 1852, 40, 53, 99.
3. To extend the time for the collection and return of taxes in the towns of Campbell and Sebawa, in the county of Ionia, for the year 1852, and for other purposes, 40, 53, 61, 72.
4. Relative to the organization of the county of Ontonagon, in the Upper Peninsula, 40, 44.
5. Relative to the organization of the county of Marquette, in the Upper Peninsula, 46, 55.
6. To amend an act entitled an act to organize the county of Montcalm, approved March 20, 1850, 72, 103.
7. To provide for the publication of probate and other legal notices, 72, 79, 273.
8. To extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland, 79, 80.
9. To repeal an act entitled an act to incorporate the Adrian Insurance Company, approved April 17, 1839, 80, 81, 99.
10. Providing for procuring a fire engine and suitable apparatus for extinguishing fires at the Capitol, 82, 87, 126.
11. For the relief of James Waters, 82, 188, 213.
12. Authorizing and requiring the Commissioner of the State Land Office to issue new certificates for Normal School lands in certain cases, 97.
13. To amend an act entitled an act to provide for holding terms of the district court, in the Upper Peninsula, approved June 28, 1851, 97, 104.
14. To provide for the payment of the expenses of the State government, 97, 102.
15. To amend chapter 48, section 1, title 9 of the revised statutes of 1846, 97, 104.
16. To provide for a sinking fund, 106, 115.
17. To provide for filing certain reports in the Auditor General's Office, and for other purposes, 116, 131.
18. To amend section 5 of chapter 50 of the revised statutes of 1846, relative to unauthorized banking, 116, 128, 169.
19. Relative to bonds deposited by banks in the treasury of this State, 116, 127.
20. To change the name of the township of Northampton, in the county of Saginaw, to that of Chissening, 116, 127.
21. To amend chapter 15 of the revised statutes of 1846, 117, 131.
22. To organize the county of Cheboygan, 117, 129.
23. To amend section 24 of chapter 16 of the revised statutes of 1846, entitled "of the powers and duties of townships and elections and duties of township officers," 117, 131.

24. To provide for assessing property at its true value, and for levying and collecting taxes thereon, 117, 132, 275, 336.
25. To provide for taking the census and statistics of this State, 117, 164, 172, 179, 213, 281.
26. To organize the county of Emmett, 136, 142.
27. To organize the township of Drummond, 136, 143.
28. To provide for the disposition of prisoners apprehended in the county of Montcalm, 136, 159.
29. To amend section 6, of chapter 11, title 2, of the revised statutes of 1846, 136, 143.
- *30. To amend section 49 of chapter 154 of the revised statutes of 1846, 144, 153, 167, 204, 217, 304.
31. Authorizing the formation of corporations for mining, smelting and manufacturing iron, copper, mineral coal, silver and other ores and minerals, and for other manufacturing purposes, 144, 165, 174, 190, 228.
32. To amend sections, 3, 9, 18, 19 and 20 of an act entitled an act relative to plank roads, approved March 13, 1848, and to add 5 new sections thereto, to stand as sections 25, 26, 27, 28 and 29, 153, 166, 212, 236.
33. To amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850; also, to amend an act entitled an act to incorporate the village of Battle Creek, approved April 4.
34. To discontinue a certain road in the town of Martin in the county of Allegan, 157, 178, 248.
35. To organize certain townships in the county of Ontonagon in the upper peninsula, 169, 176.
36. To amend an act entitled an act appropriating certain internal improvement lands for the improvement of the road from Mason, in the county of Ingham, to Dexter, in the county of Washtenaw, approved April 8, 1848, 169, 176, 191, 228.
37. To amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the village of Hillsdale, approved April 1, 1850, 169, 186, 208.
38. To attach the counties of Midland, Aronac, Gladwin, Isabella and Iosco to the county of Saginaw, and for other purposes, 169, 177.
39. Providing for the allowance of costs in certain cases, 173, 200.
40. To complete the organization of the county of Grand Traverse, 169, 177.
41. To restore to the township of Rives, in the county of Jackson, all that portion of said township detached by act No. 39 of the session laws of 1849, and attached to the township of Henrietta, in said county, 181, 187.
42. To furnish each school district in the State the unabridged American dictionary of the English language, by Noah Webster, 188, 189.

*NOTE.—The Senate adopted a substitute for the preceding bill, the title of which was "a bill to prevent the wilful and malicious destruction of fruit, shade and ornamental trees."

43. Prohibiting the manufacture of intoxicating beverages and the traffic therein, 209, 228, 229, 243, 280.
44. To extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw, 216, 217, 223, 260.
45. Relative to the surplus funds in the treasury, 226.
46. To extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee, 226, 242.
47. To change the name of Julian Allen, 255, 266.
48. To amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, 255.
49. To organize the township of Auchville, in the county of Tuscola, 281, 206.
50. To incorporate the village of Hudson, 281, 294.
51. To provide for the incorporation of institutions of learning, 282, 296, 297.
52. Conferring additional powers on judges of probate, and providing for the administration of the estates of deceased persons, 282, 302.
53. To amend section 2 of chapter 58 of the revised statutes of 1846, 282, 302.
54. To amend sections 2, 27, 39 and 40 of an act entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851, 282, 302.
55. To authorize the Auditor General to settle with and allow the county of Kent certain monies paid by said county on account of wolf bounties, 282, 295.
56. Establishing police regulations for the preservation of property on the lines of rail roads and for other purposes, 282, 303.
57. Supplementary to an act entitled an act relative to surplus funds in the State treasury, being House bill of the present session, 282, 301.
58. To amend sections 1, 4 and 6 of an act to provide for a State Board of Equalization, 282, 296, 344, 345.
59. To provide for the collection of taxes in the township of Lynn, in the county of St. Clair, and to extend the time for the collection thereof, 282, 283.
60. To provide for the draining of a certain lake in the township of Springfield, Oakland county, 283, 284.
61. To provide for the incorporation of rail road companies, 285 to 293, 356.
62. To provide for draining certain swamp lands, 285, 298.
63. To provide for the collection of taxes in the township of Marquette for the year 1851, and to extend the time for the collection thereof, 304, 312.
64. To amend section 3 of an act entitled an act to incorporate the Port Huron and Lake Michigan rail road company, 304, 346.
65. Appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia, 305, 315.

66. To amend an act entitled an act to amend section 107 of chapter 58 of the revised statutes of 1846, and the acts amendatory thereto, relative to primary schools, approved April 7, 1851, 305, 312, 338.
67. Authorizing the county of Saginaw to loan its bonds to aid the construction of a plank road, 305, 313.
68. To provide for the re-survey of the public highways in the township of White Pigeon, in the county of St. Joseph, 306.
69. To amend chapter 94 of the revised statutes of 1846, entitled "of criminal proceedings before justices of the peace," 306, 320.
70. For the compensation of judges of probate, 306, 320.
71. To amend an act entitled "an act to incorporate the village of Jackson," approved April 3d, 1848, 308.
72. To amend act No. 90, of the session laws of 1851, entitled "an act to incorporate the village of Mt. Clemens," approved April 4, 1851, 308.
73. Relating to Telegraph operators and others, 308.
74. To complete the Judicial organization of the State, 310, 320.
75. To revise an act entitled an act to provide for the removal of the State Land Office to the seat of government, 310.
76. To provide for the payment of specific taxes to counties in the Upper Peninsula, 322.
77. To amend section 6, of an act to continue for a limited time the charter of the Farmer's and Mechanics Bank of Michigan, 322-3.
78. To amend sections 11, 14 and 21 of an act entitled an act to define the powers and duties of the Board of Supervisors of the several counties and to confer upon them certain local administrative and legislative powers, approved April 8, 1851, 331, 335, 345.
79. Authorizing the construction of the Mackinaw road, 341.
80. To amend sections 1 and 2 of an act authorizing the commissioner of the State land office to sell certain primary school lands, 355.

SENATE JOINT RESOLUTIONS.

1. Relative to postage, 7, 15.
2. Of a vote of thanks to Captain Canfield, 17, 29, 38, 46.
3. Relative to the printing of a manual, 30, 40, 49, 51.
4. Authorizing the appointment of watchmen about the Capitol, 31, 40, 49, 51.
5. Relative to the public domain, 49, 144, 151, 168.
6. Authorizing the payment of certain lost bonds, 53, 147.
7. Asking for an additional donation of the public lands to the Michigan University fund, 59, 82, 84, 87.
8. Relative to the salary of the Governor for the year 1852, 65.
9. Relative to the Ypsilanti and Tecumseh rail road company, 87, 139, 156, 159, 162.

10. Requiring the trustees of the Michigan Central College, at Spring Arbor, to report, &c., 90, 117, 133, 153.
11. Relative to certain property in the city of Detroit, 136.
12. Proposing an amendment to the constitution, 162, 196.
13. To amend the constitution in relation to salaries, 163.
14. Relative to the charters of banks, 170, 192, 193, 194.
15. Relative to refunding money twice paid for certain Primary School Lands, 182, 197, 330, 339, 354.
16. Authorizing the Board of State Auditors to settle with individuals who have made loans from the School and University Fund, 200.
17. For the relief of Almon Whipple, 219, 330, 339, 354.
18. For the relief of B. Porter, 225, 238.
19. Authorizing the Commissioner of the State Land Office to issue a new certificate to Charles Chandler, Administrator of the estate of James McDonald, deceased, 233, 311.
20. Relative to the deposit and investment of the general fund of the State of Michigan, 233.
21. Relative to the number of Session Laws required to be printed, 234.
22. Of instructions to Senators and request to representatives in Congress, to act relative to a declaration of the United States respecting colonization on the American Continent by European powers, 236, 280, 292, 303.
23. Authorizing the Auditor General to re-issue a certain land warrant, 257.
24. Relative to an exchange of lots with the First Presbyterian Society of Lansing, 265, 306, 313, 327.
25. Authorizing the Board of State Auditors to allow certain claims against the State, 300, 330 339, 354.
26. Relative to printing acts of the Legislature of 1853, relative to the St. Mary's Canal, 336, 346, 357.
27. Relative to suspending joint resolution No. 10, 350.

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1. Providing a place for the sessions of the Supreme Court at Lansing, 60.
2. Relative to the erection of certain Light Houses on Lakes Superior and Michigan, 60, 65, 87.
3. Relative to certain Primary School Lands, 60, 65, 70, 71, 87.
4. Relative to the claim of A. St. Amand, late treasurer of Genesee county, 88, 108.
5. Relative to a grant of lands to aid in constructing a R. R. to the Upper Peninsula of Michigan, 93.
6. Authorizing the Superintendent of Public Instruction to cause to be published and distributed copies of his annual report for the year 1852, 125, 160.

7. Authorizing the Secretary of State to exchange a certain lot with the first Baptist Church in the village of Lansing, 146, 159, 260.
8. Relative to the distribution of the journals and documents of the Legislature for the year 1853, 153, 159.
9. Authorizing the Board of State Auditors to settle the claim of Andrew Harvie, 157, 183.
10. Relative to the contingent fund, 173, 175.
11. Relative to a grant of lands by Congress for internal improvement, 173, 175.
12. Authorizing the Auditor General to issue a new land warrant to Isaac L. Swain in place of one lost, 182, 185.
13. Relative to the Chippewa Indians of Lake Superior, 209, 224.
14. Relative to stationery, 216, 217, 225, 244, 257.
15. Relative to the joint convention of the two Houses, 283, 284.
16. Relative to the assessment of certain property in the cities of Detroit and Monroe, 306, 313.
17. Preamble and joint resolution relative to certain State building lands, 309, 316, 329.
18. To authorize the Commissioner of the State land office to grant the right of way to the Oakland and Ottawa rail road company, 322.
19. Relative to an appropriation for the construction and improvement of the northern wagon road, 343.

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1. Relative to the joint rules of the two Houses, and rules in joint convention, 4, 8.
2. Relative to the revision of the joint rules, 13, 19.
3. Relative to the final adjournment of the Legislature, 193.

HOUSE CONCURRENT RESOLUTIONS.

1. Relative to the committees of the two Houses, to whom has been referred the subject of constructing a ship canal around the Falls of St. Mary's, 29, 92.
2. Relative to a survey of Stannard's Rock, in Lake Superior, 118, 130.
3. Of thanks to Dr. Tappan, President of the University, for his address on Friday evening last, 118.
4. For the final adjournment of the Legislature, 216.

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- Authorizing the President to appoint four messengers, 5.
 Relative to stationery, 7.

- Fixing the hour for the commencement of the daily sessions of the Senate, 7.
- Appointing John N. Ingersoll reporter for the Senate, 7 and 8.
- Ordering 300 copies of the daily journal printed for the use of the Senate, 8.
- Providing for the translation of the Governor's message into the French and Dutch languages, 8.
- Relative to stationery for reporter, 10.
- Referring portions of the Governor's annual message to appropriate committees, 11.
- Authorizing the Secretary to furnish each Senator with a copy of rules of last Senate, 11.
- Authorizing the appointment of a fireman, 13.
- Requesting the Secretary of State to furnish documents, 17.
- Providing for a select committee to read bills, 17.
- Granting use of Senate Chamber, 19, 22.
- Calling upon Superintendent of Public Instruction for report in certain cases, 24.
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- Parsons, Hon. Andrew, Lieut. Gov. and President of Senate.
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- Paddock, Hon. Alfred, sworn and in his seat as Senator, 3.
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- Russell, Hon. Josiah, sworn and in his seat as Senator, 3.
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- Stowell, Hon. Alex. H., sworn and in his seat as Senator, 3.
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- Twombly, Hon. Royal T., sworn and in his seat as Senator, 3.

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ERRATA.

On page 261, the entry should have been, "this being the day fixed by a concurrent resolution of the two Houses for the final adjournment of the Legislature, and the hour of 12 o'clock having arrived, &c."

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